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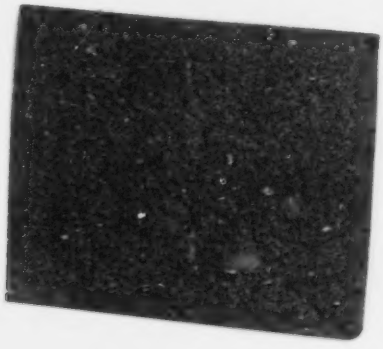
ENVIRONMENT AND SUSTAINABLE DEVELOPMENT:
CONVENTION ON BIOLOGICAL DIVERSITY

Report of the third meeting of the Conference of the Parties to the Convention on Biological Diversity

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the third meeting of the Conferences of the Parties to the Convention on Biological Diversity, held at Buenos Aires from 4 to 15 November 1996, pursuant to General Assembly resolution 51/182 of 15 December 1996.



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Report of the third meeting of the Conference of the Parties to the Convention on Biological Diversity, held at Buenos Aires from 4 to 15 November 1996

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II. DECISIONS ADOPTED BY THE THIRD MEETING OF THE CONFERENCE OF THE PARTIES

AGENDA ITEM 1. OPENING OF THE MEETING

1. In accordance with rules 3 and 4 of the rules of procedure for meetings of the Conference of the Parties to the Convention on Biological Diversity (CBD) and the decision taken at the second meeting of the Conference of the Parties, the third meeting of the Conference of the Parties to the Convention on Biological Diversity, hosted by the Government of the Argentine Republic, was held at the Golden Center, Buenos Aires, Argentina, from 4 to 15 November 1996.

2. The meeting was opened at 10.40 a.m. on 4 November 1996 by Mr. Sarwono Kusumaatmadja, Minister of Environment of the Republic of Indonesia and President of the second meeting of the Conference of the Parties, hosted by the Government of the Republic of Indonesia, in Jakarta, from 6 to 17 November 1995.

3. In his address, Mr. Kusumaatmadja reported on progress since the last meeting of the Conference of the Parties and informed the meeting that a further 28 countries had become Parties, bringing the total to 162.

4. Looking forward to the next meeting of the Conference of the Parties and, in particular, the forthcoming special session of the General Assembly in June 1997 to review the implementation of Agenda 21, he drew attention to the cross-cutting nature of the Convention, whose three objectives - the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits arising out of the utilization of its components - formed the very basis of sustainable development. The Convention had therefore a particular responsibility to contribute to fulfilment of the goals of the United Nations Conference on Environment and Development (UNCED), through the coordinated development and implementation of Agenda 21.

5. He urged all those present at the Conference to work in the spirit of cooperation and good will in evaluating achievements of the past year and planning activities to be undertaken in the forthcoming period, reaffirming the vital catalytic role of the Convention in recovering the impetus of the Rio process. He expressed appreciation for the generous support provided by the Governments of Switzerland and Canada to the Secretariat, enabling it to grow, consolidate and prepare for future challenges, commended the Secretariat for its performance over the past year and acknowledged the assistance of UNEP.

6. On the basis of wide consultations conducted by the outgoing President, Ms. Maria Julia Alsogaray, Minister of the Environment and Natural Resources of the Argentine Republic, was nominated for the post of President of the third meeting of the Conference of the Parties. Ms. Alsogaray was elected by acclamation.

7. The President of the Conference thanked the meeting for her election and welcomed participants to Argentina, a country with a multiplicity of landscapes - forest, coastal, wetlands, pampas, Patagonia and mountains - and famous as the bread basket of the world. Recalling the exceptional period in the history of the United Nations when the Convention was adopted and came

into force, she observed that the 162 Parties faced important responsibilities for putting the Convention into effect. She noted that the current generation would not necessarily witness the returns from the medium and long-term investments in conservation that were needed.

8. The current meeting of the Convention provided an opportunity for an analysis of its achievements, but also for far-reaching self-criticism and for the identification of the even bolder actions that were required. She expressed her hope that a major outcome of the third meeting would be the advancement of the second and third objectives of the Convention, namely, the sustainable use of the components of biological diversity and the fair and equitable sharing of benefits arising out of the utilization of genetic resources.

9. She expressed the view that it was important for the meeting to address questions relating to access to genetic resources and to the transfer of technology. The meeting should also address the issue of the financial resources necessary for the implementation of the Convention. She highlighted the need to identify options for the implementation of Article 7 of the Convention, the importance of sustainable agriculture, and the need for synergy between the Convention and other biodiversity-related conventions and processes. In conclusion, she wished participants a successful meeting in a spirit of cooperation.

10. Mr. Mohammed El Ashry, Chief Executive Officer and Chairman of the Global Environment Facility (GEF), reported on the progress of GEF since the second meeting of the Conference of the Parties. He recalled that the last meeting of the Conference of the Parties had decided that GEF would serve as the financial mechanism of the Convention on an interim basis and that the decision had been welcomed by the GEF Council. GEF currently had a membership of 156 countries and in the previous fiscal year it had approved expenditure totalling US$ 26 million on biodiversity projects, bringing the total expenditure on biodiversity to US$ 960 million.

11. The guidance given by the Conference of the Parties was being operationalized through three categories of activities: enabling activities; operational programmes encompassing long-term measures; and short-term response measures. A draft memorandum of understanding between the Conference of the Parties and GEF had been prepared and was before the current meeting for consideration. In line with decision II/6, the GEF Council had approved expedited procedures for the preparation of medium-sized projects. The Secretariats of GEF and CBD had been cooperating closely with regard to the clearing-house mechanism, and GEF had prepared a report for consideration by the current meeting, outlining a number of ways in which GEF might support developing country Parties with regard to the operation of the clearing-house mechanism.

12. In response to concerns expressed about project cycle delays and project resource availability, additional streamlining for the expedited procedures for enabling activities had been agreed. Additionally, up to 15 per cent of the project budget would be released immediately upon approval to facilitate project preparation in the recipient country. In the six months since the approval of the expedited procedures, thirty-one proposals for enabling activities had been approved, and efforts were under way to

accelerate the cycle for medium-sized and larger projects. Negotiations to replenish the GEF Trust Fund would be undertaken in 1997, starting with a planning meeting early in the year. There was a need for all involved - the Conference of the Parties and its Secretariat, the GEF Council and Secretariat, the Implementing Agencies, recipient Governments, the project executing agencies and scientific advisory bodies - to work together to set the stage for substantive guidance and implementation of the priorities to be pursued to achieve all three objectives of the Convention, and to identify the actions that could best assist on-the-ground sustainable management of biodiversity.

13. GEF would welcome the opportunity to build upon the strong collaboration that had recently been established with the Secretariat of the Conference of the Parties by forging a new partnership for collaboration, one respecting in every way the legal construct of the relationship between the Convention and its financial mechanism, one not infringing on the prerogative of the Conference of the Parties to determine policies, strategies, programme priorities and eligibility criteria.

14. Mr. Reuben Olembo, Deputy Executive Director of the United Nations Environment Programme (UNEP) addressed the meeting on behalf of Ms. Elizabeth Dowdeswell, Executive Director of UNEP. He noted that the large number of countries that were now Parties had increased the expectations surrounding the Convention. Much remained to be done to make the Convention meaningful and the continuing loss of biological diversity gave that task added urgency. Emphasizing that the Convention could not become a guidance body when there were still unresolved issues to be negotiated, he expressed the hope that those could be resolved at the current meeting. Despite the complex work programme set in Jakarta and the administrative needs involved in establishing the permanent Secretariat in a new location, he was pleased to recognize that much more had been achieved over the past year than he had anticipated. After thanking all those Governments which had assisted the Secretariat and hosted the intersessional activities undertaken since the last meeting, he expressed the hope that Governments would continue to offer to host meetings under the Convention and to make voluntary contributions to its programme of work.

15. Mr. Calestous Juma, Executive Secretary of the Convention on Biological Diversity, presented his report on the Secretariat's administration of the Convention, contained in document UNEP/CBD/COP/3/32, and extended a particular welcome to those participating in the Conference of the Parties for the first time.

16. After recording his appreciation to the Government of Canada, the Government of Quebec, the city of Montreal and other international organizations located in Montreal for their efforts to ensure that the transition of the Secretariat from Geneva to Montreal had run as smoothly as possible, he announced that the headquarters agreement with Canada had been signed by the Executive Director of UNEP on 25 October 1996 and thanked both UNEP and the Government of Canada for the successful conclusion of the negotiation. He reported that the Secretariat was acquiring the in-house capacity to perform all the functions that fell to it.

17. During 1996 the Secretariat had addressed a number of issues of

critical importance for the future of the Convention, including the Jakarta Mandate on Marine and Coastal Biological Diversity, the pilot phase of the clearing-house mechanism, the first meeting of the Open-ended Ad Hoc Working Group of Experts on Biosafety and the second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA).

18. It had attended a number of important international meetings in the course of the year, notably the International Technical Conference on the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture and the fifty-first session of the General Assembly of the United Nations. In addition, it had devoted much effort to the promotion of the Convention. The Secretariat had cooperated closely with the Secretariat of GEF during the year on building the basis of a common understanding, including further work on the preparation of the Memorandum of Understanding. In addition, memoranda of cooperation had already been signed or were under discussion with a number of related conventions.

19. In conclusion, he described the past year as formative and transitional, but also one of achievements: the Secretariat was now in a position to move forward with the implementation of the Convention.

20. Representatives of the secretariats of four related conventions gave brief presentations on the aims and achievements of their respective instruments. The Convention on Wetlands of International Importance, especially as Waterfowl Habitat (Ramsar Convention), currently had a membership of 94 parties and listed 847 sites covering some 60 million hectares. At its last meeting, in March 1996 in Australia, the Conference of the Parties had adopted a six-year strategic plan demonstrating the parties' determination to work in close collaboration with the Convention on Biological Diversity and leading to the signing, in August 1996, of a memorandum of cooperation between the two secretariats.

21. The Convention on Migratory Species of Wild Animals (CMS) dealt with the conservation and sustainable use of a small but vital component of biological diversity - the 8,000-10,000 species that regularly migrated across boundaries - and the Secretariat of CMS had signed a memorandum of cooperation in June 1996 with the CBD Secretariat. Parties to CBD were urged to consider acceding also to CMS in order to enhance the potential for coordination and cooperative efforts between the two instruments.

22. The United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa, signed in June 1994 in Paris, would enter into force in December 1996 following the recent ratification by more than 50 countries. The interim secretariat in Geneva was preparing for the tenth session of the Intergovernmental Negotiating Committee, to be held in February 1997 in New York, and the first meeting of the Conference of the Parties to the Convention was planned for autumn 1997, in Rome. It was stressed that desertification and biodiversity loss involved related and interdependent problems, with the same anthropogenic causes, making coordinated action necessary.

23. The second meeting of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in July 1996 in

Geneva, had taken a number of important decisions. In particular, it had decided that the third meeting of the Conference of the Parties should be held in Kyoto from 1 to 12 December 1997, and had called for an acceleration in the negotiation of a protocol or other legal instrument pursuant to the Berlin Mandate.

24. The view was expressed that the institutional processes of the three Rio conventions (Convention on Biological Diversity, Convention to Combat Desertification and Framework Convention on Climate Change) had reached a point where, if they did not make themselves a force of convergence, they ran the risk of continuing to generate parallel and duplicative processes. It was suggested that the three conventions could build on their current cordial relations to carry out scientific collaborative efforts aimed at strengthening the capacity both of the national focal points and of the three secretariats.

25. The representative of Italy presented the results of the International Symposium on Mediterranean Biodiversity held in Rome on 14 and 15 October 1996. He recalled that, at previous CBD meetings, the idea of cooperation and communication among countries with shared ecosystems had been considered and encouraged. The Mediterranean region was of particular importance because of its natural features, including its nature as an inner sea, its role as a crossroads of biodiversity involving biological migrations and invasions, and its status as a centre of origin of species important for human survival. Participants in the symposium had reached consensus on several points: the Mediterranean region's distinctiveness both as to history and culture and as to geographical biodiversity, with the relationships among habitats, landscapes, ecosystems and human activities suggesting opportunities for common responses; the importance of maintaining diversity through preventive measures at the gene, species and ecosystem levels; the need to enhance and interlink existing regional information systems; and the desirability of setting up a small steering group for further work.

26. A presentation was made on the results of the fifth session of the Global Biodiversity Forum, representing 145 peoples from 35 countries, held in Buenos Aires on 1 and 2 November 1996. Four workshops had developed a number of recommendations in the areas of investing in biodiversity; agriculture and biodiversity; integrating biodiversity and land use planning and management; and biodiversity and indigenous peoples.

27. Representatives of two indigenous organizations presented the conclusions of the International Indigenous Forum, held in Buenos Aires prior to the meeting of the Conference of the Parties. These included seven recommendations on the implementation of Article 8 (j) of the Convention on Biological Diversity.

28. The representative of Syria made a presentation for the Arab group which had met in October 1996. Among the major points made were: the desert nature of much of the environment in the Arab region; the important relationship between biodiversity and monuments, both of which needed protection; and the need to establish gene banks in Arab countries on the Mediterranean. Assistance with financing and capacity-building was also needed.

AGENDA ITEM 2. ORGANIZATIONAL MATTERS

29. All States were invited to participate in the meeting. The following Parties attended: Albania, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Cook Islands, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Denmark, Dominica, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, European Community, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kiribati, Kyrgyzstan, Lao People's Democratic Republic, Lebanon Lesotho, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Western Samoa, Zaire, Zambia and Zimbabwe.

30. The following States were represented by observers: Belgium, Holy See, Libyan Arab Jamahiriya, Saudi Arabia, Thailand, Turkey and United States of America.

31. Observers from the following United Nations bodies and specialized agencies also attended: Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals (CMS); Secretariat of the Convention on Wetlands of International Importance, especially as Waterfowl Habitat (Ramsar Convention); Division for Sustainable Development of the Department for Policy Coordination and Sustainable Development; Economic Commission for Latin America and the Caribbean (ECLAC); Food and Agriculture Organization of the United Nations (FAO); Global Environment Facility (GEF); Intergovernmental Oceanographic Commission (IOC); Intergovernmental Panel on Forests (IPF); United Nations Conference on Trade and Development (UNCTAD); interim secretariat of the United Nations Convention to Combat Desertification; United Nations Development Programme (UNDP); United Nations Educational, Scientific and Cultural Organization (UNESCO); United Nations Environment Programme (UNEP); World Bank and World

Intellectual Property Organization (WIPO).

32. The following other organizations were represented:

(a) Intergovernmental organizations: Center for Agriculture and Biosciences International (CAB International), Comisión Permanente del Pacifico Sur (CPPS), Global Environment Facility (GEF), International Potato Centre (CIP) of the Consultative Group on International Agricultural Research (CGIAR), Organisation for Economic Cooperation and Development (OECD) and Plant Genetic Resource Centre of the Southern African Development Community (SADC).

(b) A total of 230 non-governmental organizations, both international and national, were represented by observers at the meeting. A complete list may be obtained on request from the Secretariat, or consulted at the following Internet site: <http://www.biodiv.org/>.

2.1 Election of officers

33. In accordance with rule 21 (Officers) of the rules of procedure for meetings of the Conference, the Conference at its 1st, 2nd and 3rd plenary sessions elected the following officers:

President: Ms. Maria Julia Alsogaray (Argentina)

Vice-Presidents: Mr. John Ashe (Antigua and Barbuda)
Mr. Manfred Schneider (Austria)
Mr. François Ndeckere-Ziangba (Central African Republic)
Mr. Mohammed Reza Salamat (Iran)
Mr. Igor Glukhovtsev (Kazakstan)
Mr. Terry Jones (Seychelles)
Ms. Suzana Guzíová (Slovakia)
Mr. Louis Currat (Switzerland)

Rapporteur: Mr. Raéd Bani Hani (Jordan)

2.2 Adoption of the agenda

34. At the 1st session of the plenary, on 4 November 1996, the provisional agenda as contained in document UNEP/CBD/COP/3/1 was adopted. The agenda adopted is as follows:

1. Opening of the meeting.

2. Organizational matters:

   2.1 Election of officers;
   2.2 Adoption of the agenda;
   2.3 Organization of work.

3. Pending issues arising from the work of the second meeting of the Conference of the Parties:

   3.1 Paragraph 1 of rule 40 of the rules of procedure for meetings of the Conference of the Parties to the Convention on Biological Diversity;

3.2 Paragraphs 4 and 16 of the financial rules for the administration of the Trust Fund of the Convention on Biological Diversity.

4. Consideration of the report and recommendations of the second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice and instructions by the Conference of the Parties to the Subsidiary Body on Scientific, Technical and Technological Advice.

5. Report on assessment and review of the operation of the clearing-house mechanism.

6. Financial resources and mechanism:

6.1 Report on the activities of the Global Environment Facility as the interim institutional structure;

6.2 Report of the Executive Secretary on the implementation of decision II/6 on financial resources and mechanism;

6.3 To consider the availability of additional financial resources and possible suggestions to funding institutions on how to make their activities in the area of biodiversity more supportive of the Convention;

6.4 To consider guidelines for the review by the Conference of the Parties of the effectiveness of the financial mechanism;

6.5 To consider and decide upon the revised draft memorandum of understanding between the Conference of the Parties to the Convention on Biological Diversity and the Council of the Global Environment Facility regarding the institutional structure operating the financial mechanism of the Convention;

6.6 To endeavour to decide upon the institutional structure to be designated in accordance with Article 21 of the Convention.

7. General measures for conservation and sustainable use:

7.1 Implementation of Articles 6 and 8 of the Convention.

8. Identification, monitoring and assessment:

8.1 To consider options for implementing Article 7 of the Convention;

8.2 Appraisal of the Subsidiary Body on Scientific, Technical and Technological Advice assessment of biological diversity for the implementation of Article 25.2 (a) and advice on methodologies for future assessments.

9. Conservation and sustainable use of agricultural biological diversity:

9.1 To consider agricultural biological diversity within the context of the Convention's three objectives and its provisions;

9.2 To consider the report on progress under the FAO Global System for the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture.

10. Consideration of the future programme of work for terrestrial biological diversity in the light of the outcome of deliberations of the third session of the Commission on Sustainable Development in 1995:

10.1 Communication of the Secretariat of the Intergovernmental Panel on Forests on progress on issues relevant to forests and biological diversity;

10.2 To consider whether further input to the Intergovernmental Panel on Forests is required;

10.3 Future programme of work for terrestrial biological diversity in the light of the outcome of deliberations of the third session of the Commission on Sustainable Development in 1995.

11. Knowledge, innovations and practices of indigenous and local communities:

11.1 Implementation of Article 8 (j).

12. Access to genetic resources:

12.1 To consider the compilation of views of the Parties on possible options for developing national legislative, administrative or policy measures, as appropriate, to implement Article 15.

13. Issues related to technology:

13.1 To consider ways to promote and facilitate access to and transfer and development of technology, as envisaged in Articles 16 and 18 of the Convention.

14. Intellectual property rights:

14.1 To consider the impact of intellectual property rights on the conservation and sustainable use of biological diversity and the equitable sharing of benefits derived from its use with a view to a better understanding of the implications of Article 16.5;

14.2 To consider a possible input into the negotiations that are taking place in the Committee on Trade and Environment of the World Trade Organization.

15. Incentive measures:

15.1 To consider the compilation of information and experiences shared on the implementation of Article 11.

16. Special session of the General Assembly to review implementation of Agenda 21:

16.1 To provide a report from the perspective of the Convention's three objectives.

17. Issues related to biosafety:

17.1 To consider the first report of the Open-ended Ad Hoc Working Group on Biosafety;

17.2 UNEP International Technical Guidelines for Safety in Biotechnology.

18. Relationship of the Convention with the Commission on Sustainable Development and biodiversity-related conventions, other international agreements, institutions and processes of relevance.

19. Medium-term programme of work of the Conference of the Parties for 1996-1997.

20. Administrative matters:

20.1 Report of the Executive Secretary on the administration of the Convention.

20.2 Budget of the Trust Fund for the Convention on Biological Diversity

21. Report on the credentials of representatives to the third meeting of the Conference of the Parties.

22. Venue and date of the fourth meeting of the Conference of the Parties.

23. Other matters.

24. Adoption of the report.

25. Closure of the meeting.

2.3 Organization of work

35. At the 1st session of the plenary, on 4 November 1996, the Conference

approved the organization of work for the meeting contained in document UNEP/CBD/COP/3/1/Add.2.

36. At its 2nd session, on 4 November 1996, the plenary also established a Committee of the Whole, chaired by Vice-President Mr. Louis Currat (Switzerland).

37. In accordance with the adopted timetable for the organization of work of the meeting, contained in document UNEP/CBD/COP/3/1/Add.2, the Committee of the Whole was requested to take up the following agenda items: 5, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 7, 8.1, 8.2, 9.1, 9.2, 10.1, 10.2, 10.3, 11, 12, 13, 14.1, 14.2, 15, 16, 17.1, 17.2, 18 and 19. In addition, at the request of the Bureau, the Committee had an in-depth discussion of item 4, Consideration of the report and recommendations of the second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice and instructions to the Subsidiary Body on Scientific, Technical and Technological Advice. The Committee further considered item 20.2, Budget of the Trust Fund for the Convention on Biological Diversity, in conjunction with item 19, Medium-term programme of work of the Conference of the Parties for 1996-1997, as decided by the Conference of the Parties at its 1st plenary session.

38. The Committee held 15 meetings from 4 to 13 November 1996.

39. In addition, in accordance with its standard procedure, the plenary established a committee on the budget, under the chairmanship of Vice-President Mr. John Ashe (Antigua and Barbuda).

MINISTERIAL SEGMENT

40. In accordance with the organization of work of the meeting, a ministerial segment of the third meeting of the Conference of the Parties to the Convention on Biological Diversity was held on 13 and 14 November 1996. The report of the ministerial segment is contained in annex I to the present report.

AGENDA ITEM 3. PENDING ISSUES ARISING FROM THE WORK OF THE SECOND MEETING OF THE CONFERENCE OF THE PARTIES

3.1 Paragraph 1 of rule 40 of the rules of procedure for meetings of the Conference of the Parties to the Convention on Biological Diversity

3.2 Paragraphs 4 and 16 of the financial rules for the administration of the Trust Fund of the Convention on Biological Diversity

41. The Conference of the Parties took up the item on the issues pending from the work of the second meeting at its 1st plenary session, on 4 November 1996, and decided to defer consideration of the item, pending the outcome of discussions in the Bureau.

42. At the 4th plenary session, on 15 November 1996, the meeting adopted decision III/1, on the basis of the draft decision submitted by the Bureau

and contained in document UNEP/CBD/COP/3/L.14. The text of the decision is contained in annex II to the present report.

AGENDA ITEM 4. CONSIDERATION OF THE REPORT AND RECOMMENDATIONS OF THE SECOND MEETING OF THE SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE AND INSTRUCTIONS BY THE CONFERENCE OF THE PARTIES TO THE SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE

43. The Conference of the Parties considered this matter at its 1st and 4th plenary sessions. At the 1st plenary session, on 4 November 1996, the Chairman of SBSTTA, Mr. Peter Johan Schei (Norway), introduced the report of the second meeting of SBSTTA, held in Montreal from 2 to 6 October 1996, contained in document UNEP/CBD/COP/3/3. The meeting decided to refer the item to the Committee of the Whole for further consideration.

44. At its 8th session on 7 November 1996, the Committee of the Whole took up the item. The Chairman of SBSTTA introduced recommendation II/11 of SBSTTA on the modus operandi of SBSTTA, contained in UNEP/CBD/COP/3/3.

45. Statements were made under the item by the representatives of Australia, Brazil, China, Cuba, Ethiopia, France, Hungary (part of whose statement was made on behalf of a number of countries with economies in transition), India, Ireland (on behalf of the European Union), Jamaica, Japan, the Netherlands, New Zealand, Norway, Peru, Portugal, Spain, the United Kingdom and the United States of America.

46. In response to a question from one representative regarding the information document referred to in paragraph 8 of Annex 2 to SBSTTA recommendation II/11, on the implications, including financial implications, of adding to the working languages of SBSTTA, a representative of the Secretariat explained that the Secretariat had requested that information from the United Nations Office at Nairobi (UNON). UNON had estimated that the cost of in-session translation and interpretation for a five-day meeting in Montreal in two languages was US$ 171,000, while the estimated cost for a similar meeting in six languages was US$ 325,000.

47. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/2, on the basis of the draft decision submitted by the Chairman of the Committee of the Whole and contained in document UNEP/CBD/COP/3/L.17, and decision III/3, on the basis of the draft decision submitted by the Bureau and contained in document UNEP/CBD/COP/3/L.27. The text of the decisions may be found in annex II to the present report.

48. Following the adoption of decision III/3, the representative of the Netherlands requested that the following statement be included in the report of the meeting:

> "The Netherlands is of the opinion that scientific bodies of international conventions should work in an efficient and flexible manner, and should therefore operate in the working languages of the United Nations. However, in view of the general view of the Conference of the Parties for broadening the possibilities for input into SBSTTA,

we have decided to go along with this decision."

AGENDA ITEM 5. REPORT ON ASSESSMENT AND REVIEW OF THE OPERATION OF THE CLEARING-HOUSE MECHANISM

49. At its 5th session, on 6 November 1996, the Committee of the Whole took up the item. The item was introduced by a representative of the Secretariat, who recalled that, by decision II/3 of its second meeting, the Conference of the Parties had requested the Executive Secretary to prepare a progress report on the implementation of the pilot phase of the clearing-house mechanism for the consideration of the current meeting and informed members that the progress report in question, covering the period January-September 1996, was contained in document UNEP/CBD/COP/3/4. The submissions received by the Executive Secretary were before the Committee, in document UNEP/CBD/COP/3/Inf.32. In addition, he drew attention to the report of GEF on capacity-building in relation to the clearing-house mechanism, contained in document UNEP/CBD/COP/3/36.

50. The Chairman of SBSTTA introduced recommendation II/6 of SBSTTA, on the role of the clearing-house mechanism in promoting technical and scientific cooperation, contained in document UNEP/CBD/COP/3/3.

51. Statements under the item were made by the representatives of Argentina, Australia, Belgium, Brazil, Cameroon, Canada, Chile, China, Colombia, Ethiopia, Germany, Greece, Iceland, India, Indonesia, Ireland (on behalf of the European Union), Italy, Malawi, Malaysia, Mauritius, Mexico, Netherlands, New Zealand, Niger, Norway, Peru, Philippines, Republic of Korea, South Africa, Switzerland, United Republic of Tanzania and United States of America.

52. At the 4th plenary session, on 15 November 1996, the meeting adopted decision III/4, on the basis of the draft decision submitted by the Chairman of the Committee of the Whole and contained in document UNEP/CBD/COP/3/L.3. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 6. FINANCIAL RESOURCES AND MECHANISM

6.1 Report on the activities of the Global Environment Facility as the interim institutional structure

6.2 Report of the Executive Secretary on the implementation of decision II/6 on financial resources and mechanism

6.3 To consider the availability of additional financial resources and possible suggestions to funding institutions on how to make their activities in the area of biodiversity more supportive of the Convention

6.4 To consider guidelines for the review by the Conference of the Parties of the effectiveness of the financial mechanism

6.5 To consider and decide upon the revised draft memorandum of

understanding between the Conference of the Parties to the Convention on Biological Diversity and the Council of the Global Environment Facility regarding the institutional structure operating the financial mechanism of the Convention

6.6 To endeavour to decide upon the institutional structure to be designated in accordance with Article 21 of the Convention

53. At its 3rd session, on 5 November 1996, the Committee of the Whole commenced its consideration of the item and decided to consider the six sub-items as a whole. The item was introduced by the Chairman, who said that representatives might make statements on any of the six sub-items or might restrict their statements to the three sub-items that had originally been intended for discussion at the session, as reflected in the organization of work contained in document UNEP/CBD/COP/3/1/Add.2.

54. The Executive Secretary introduced the following documents: report of GEF, contained in document UNEP/CBD/COP/3/5; report of the Executive Secretary on financial resources and mechanism, contained in document UNEP/CBD/COP/3/6; report on characteristics specific to biological diversity and suggestions to funding institutions on how to make their activities more supportive of the Convention, contained in document UNEP/CBD/COP/3/7; guidelines for the review by the Conference of the Parties of the effectiveness of the financial mechanism, contained in document UNEP/CBD/COP/3/8; designation of the institutional structure to operate the financial mechanism, contained in document UNEP/CBD/COP/3/9; the revised draft memorandum of understanding between the Conference of the Parties and the Council of GEF, contained in document UNEP/CBD/COP/3/10; and a report on the availability of additional funding resources, contained in document UNEP/CBD/COP/3/37.

55. The Chairman suggested three objectives to be borne in mind in the Committee's consideration of the item: the recommendations in the SBSTTA report should be studied and a statement prepared; the options provided by the Secretariat in the various papers should be considered; and specific proposals must be formulated, since decisions were required by the end of the meeting.

56. Statements were made on the six sub-items as a whole by the representatives of the following countries: Argentina, Australia, Brazil, Canada, China, Colombia, Costa Rica (on behalf of the Group of 77 and China), El Salvador, Indonesia, Malawi, Malaysia, Mauritius, Mexico, New Zealand, Norway, Philippines, Poland, Romania, Slovakia (on behalf of the countries with economies in transition), Switzerland, Uruguay and Zimbabwe. A statement was made on sub-items 6.1, 6.5 and 6.6 by Ireland, on behalf of the European Union.

57. At its 4th session, on 6 November 1996, the Committee of the Whole continued its consideration of the six sub-items. Statements addressing the item as a whole were made by the representatives of Benin, Bulgaria, Cameroon, Canada, Central African Republic, Chile, China, Congo, Costa Rica (on behalf of the Group of 77 and China), Czech Republic, Equatorial Guinea, Germany, Haiti, Honduras, India, Indonesia, Kyrgyzstan, Malaysia, New Zealand, Paraguay, Russian Federation, Seychelles, Syria, Tunisia, United

Kingdom, United States of America and Zambia.

58. A statement referring specifically to sub-items 6.2, 6.3 and 6.4 was made by the representative of Ireland (on behalf of the European Union).

59. The Committee of the Whole decided to refer the item to an open-ended working group for further consideration, to be chaired by Mr. Mohammed Reza Salamat (Islamic Republic of Iran).

60. At its 4th plenary session, on 15 November 1996, the meeting adopted decisions III/5, III/6, III/7 and III/8, on the basis of the draft decisions submitted by the chairman of the open-ended working group and contained in documents UNEP/CBD/COP/3/L.22, L.20, L.25 and L.21, respectively. The text of the decisions may be found in annex II to the present report.

AGENDA ITEM 7. GENERAL MEASURES FOR CONSERVATION AND SUSTAINABLE USE

7.1 Implementation of Articles 6 and 8 of the Convention

61. At its 5th session, on 6 November 1996, the Committee of the Whole decided to consider item 7 concurrently with item 8.

62. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/9, on the basis of the draft decision submitted by the Chairman of the Committee of the Whole and contained in document UNEP/CBD/COP/3/L.5. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 8. IDENTIFICATION, MONITORING AND ASSESSMENT

8.1 To consider options for implementing Article 7 of the Convention

8.2 Appraisal of the Subsidiary Body on Scientific, Technical and Technological Advice assessment of biological diversity for the implementation of Article 25.2 (a) and advice on methodologies for future assessments

63. In accordance with its decision to consider items 7 and 8 of the agenda and their respective sub-items concurrently, as a single item, the Committee of the Whole commenced its deliberations on these items at its 5th session, on 6 November 1996. The Chairman of SBSTTA drew attention to the relevant recommendations of the second meeting of SBSTTA, namely, recommendations II/1 and II/2.

64. Statements under the items were made by the representatives of Argentina, Australia, Brazil, China, Costa Rica, El Salvador, France, Hungary, Iceland, India, Indonesia, Ireland (on behalf of the European Union), Madagascar, Malaysia, Mexico, Netherlands, New Zealand, Norway, South Africa, Spain, Sweden, United States of America and Uruguay. At the same session, statements were also delivered by the representatives of Ethiopia, Finland, Italy, Poland, Senegal and United Kingdom.

65. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/10, on the basis of the draft decision submitted by the Chairman of the Committee of the Whole and contained in document UNEP/CBD/COP/3/L.6. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 9. CONSERVATION AND SUSTAINABLE USE OF AGRICULTURAL BIOLOGICAL DIVERSITY

9.1 To consider agricultural biological diversity within the context of the Convention's three objectives and its provisions

9.2 To consider the report on progress under the FAO Global System for the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture

66. At its 1st session, on 4 November 1996, the Committee of the Whole decided to consider the two sub-items concurrently, as a single item. The item was introduced by the Executive Secretary, who drew attention to recommendation II/7 of SBSTTA at its second meeting in Montreal in September 1996. He regretted that there had been insufficient time since the conclusion of the SBSTTA meeting for incorporation of the SBSTTA discussions and outcomes into the report on the item, contained in document UNEP/CBD/COP/3/14.

67. Statements under the item were made by the representatives of Brazil, Costa Rica (on behalf of the Group of 77 and China), Ireland (on behalf of the European Union), Malaysia, Norway, Sri Lanka, and Zimbabwe.

68. At the 2nd session of the Committee of the Whole, on 5 November 1996, statements were made by the representatives of Argentina, Australia, Austria, Bangladesh, Bolivia, Burkina Faso, Canada, China, Colombia, Cuba, Ecuador, Ethiopia, European Community, Germany, Ghana, Guatemala, Haiti, India, Indonesia, Iran (Islamic Republic of), Japan, Malawi, Mauritius, Mexico, Morocco, Netherlands, New Zealand, Peru, Philippines, Republic of Korea, Senegal, Slovakia (also on behalf of Bulgaria, Czech Republic, Estonia, Hungary, Poland and Russian Federation), South Africa, Spain, Sweden, Switzerland, Tunisia, United States of America, Uruguay, Venezuela and Zaire. Statements were also made by the Food and Agriculture Organization of the United Nations (FAO) and the Consultative Group on International Agricultural Research (CGIAR) and by two non-governmental organizations, Third World Network and Via Campesina.

69. The Committee of the Whole decided to refer the item to an open-ended working group, chaired by Mr. Manfred Schneider (Austria), Vice-President of the Conference, for further consideration.

70. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/11, on the basis of the draft decision submitted by the chairman of the open-ended working group and contained in documents UNEP/CBD/COP/3/L.12 and Corr.1. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 10. CONSIDERATION OF THE FUTURE PROGRAMME OF WORK FOR TERRESTRIAL BIOLOGICAL DIVERSITY IN THE LIGHT OF THE OUTCOME OF DELIBERATIONS OF THE THIRD SESSION OF THE COMMISSION ON SUSTAINABLE DEVELOPMENT IN 1995

10.1 Communication of the Secretariat of the Intergovernmental Panel on Forests on progress on issues relevant to forests and biological diversity

10.2 To consider whether further input to the Intergovernmental Panel on Forests is required

71. At its 6th session, on 7 November 1996, the Committee of the Whole decided to consider the first two sub-items of item 10 of the agenda concurrently, as a single item. The item was introduced by a representative of the Secretariat, who drew the attention of the Committee to three relevant documents that it had before it: the communication of the Secretariat of the Intergovernmental Panel on Forests (IPF) on progress on issues relevant to forests and biological diversity, contained in document UNEP/CBD/COP/3/17/Add.1; a note by the Executive Secretary on biological diversity and forests, contained in document UNEP/CBD/COP/3/16; and a contribution by the Executive Secretary, contained in document UNEP/CBD/COP/3/Inf.33, to the preparation of the report of the Secretary-General on programme element 1.3 of IPF concerning traditional forest-related knowledge. The Chairman of SBSTTA introduced recommendation II/8 of SBSTTA on terrestrial biological diversity.

72. The representative of the Secretariat of IPF introduced the information note from the IPF Secretariat to the third meeting of the Conference of the Parties on progress made by IPF (UNEP/CBD/COP/3/17/Add.1). He reported that, at its third session, held in Geneva from 9 to 20 September 1996, the Panel had welcomed the contribution of CBD to its discussion. The Panel had requested its Secretariat to report to the current meeting on progress by IPF, so as to continue the exchange of information between the Panel and the Conference of the Parties.

73. Statements were made under the sub-items by the representatives of Argentina, Austria, Brazil, Canada, Central African Republic, Colombia, Costa Rica (on behalf of the Group of 77 and China), Cuba, Ecuador, Finland, Haiti, Indonesia, Ireland (on behalf of the European Union), Malaysia, Mexico, Myanmar, Norway, Philippines, Poland, Romania, Russian Federation, Sri Lanka, Switzerland, Thailand, Tunisia, Venezuela and Zaire (on behalf of a number of African countries). Statements were also made by the Latin American Forest Network (on behalf of a number of non-governmental organizations) and the International Alliance of Indigenous Tribal Peoples of Tropical Forests (on behalf of a number of non-governmental organizations).

74. In addition, statements were delivered by the representatives of Australia, Burkina Faso, Cameroon, Japan, Lesotho, Madagascar, Malawi, Netherlands, New Zealand, Paraguay, Uganda and Zimbabwe and a statement was delivered by the representative of Greenpeace International.

75. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/12, on the basis of the draft decision submitted by the Chairman of the Committee of the Whole and contained in document UNEP/CBD/COP/3/L.8. The text of the decision may be found in annex II to the present report.

10.3 Future programme of work for terrestrial biological diversity in the light of the outcome of deliberations of the third session of the Commission on Sustainable Development in 1995

76. At its 6th session, on 7 November 1996, the Committee of the Whole took up its consideration of the sub-item. The sub-item was introduced by the representative of the Secretariat, who drew the attention of the Committee of the Whole to document UNEP/CBD/COP/3/18, which addressed the subject, and to document UNEP/CBD/COP/3/Inf.45, which contained relevant sections of the report of the third session of the Commission on Sustainable Development (CSD). The Chairman of SBSTTA summarized the relevant part of SBSTTA recommendation II/8 on terrestrial biological diversity.

77. Statements were made under the sub-item by the representatives of Canada, China, Gambia, India, Indonesia, Ireland (on behalf of the European Union), New Zealand, South Africa, Tunisia and Zambia.

78. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/13, on the basis of the draft decision submitted by the Chairman of the Committee of the Whole and contained in document UNEP/CBD/COP/3/L.4. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 11. KNOWLEDGE, INNOVATIONS AND PRACTICES OF INDIGENOUS AND LOCAL COMMUNITIES

11.1 Implementation of Article 8 (j)

79. At its 7th session, on 7 November 1996, the Committee of the Whole commenced its consideration of the item. The item was introduced by a representative of the Secretariat, who drew the attention of the Committee to five relevant documents that it had before it: a note by the Executive Secretary on the implementation of Article 8 (j), contained in document UNEP/CBD/COP/3/19; a contribution by the Executive Secretary, contained in UNEP/CBD/COP/3/Inf.3, of submissions received concerning knowledge, innovations and practices of indigenous and local communities; a compilation by the Executive Secretary, contained in document UNEP/CBD/COP/3/Inf.24, of international guidelines concerning indigenous and local communities; a contribution by the Executive Secretary, contained in document UNEP/CBD/COP/3/Inf.33, to the preparation of the report of the Secretary-General on programme element 1.3 of IPF; and a note, contained in document UNEP/CBD/COP/3/Inf.44, by the Chairman of Working Group 2 of the second meeting of SBSTTA. The representative of the Secretariat suggested that the Committee of the Whole might consider the issues relating to the implementation of Article 8 (j) by addressing the three components of this sub-Article: questions related to the respect, preservation and maintenance of the knowledge, innovations and practices of indigenous and local communities; questions related to promoting the wider application of such

knowledge, innovations and practices with the approval of the holders; and questions related to the encouragement of the equitable sharing of the benefits arising from their use.

80. Statements were made under the item by the representatives of Argentina, Australia, Austria, Bolivia, Brazil, Canada, Colombia, Costa Rica, Ecuador, Honduras, India, Indonesia, Ireland (on behalf of the European Union), Italy, Japan, Kyrgyzstan, Netherlands, New Zealand, Philippines, Sweden (on behalf of the Nordic countries), Switzerland, United Kingdom, Uruguay, Venezuela and Zimbabwe. A representative made a statement in the name of all the indigenous peoples' organizations present at the meeting, supported by five statements by representatives of indigenous communities in the African, North American and Arctic Asian, Pacific, and Latin American regions. Statements were also made by Asociación Campesina Integral del Atrato (Colombia), Movimiento de Autoridades Indígenas de Colombia, a representative of the Maori people and World Wide Fund for Nature (WWF).

81. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/14, on the basis of the draft decision submitted by the Chairman of the Committee of the Whole and contained in document UNEP/CBD/COP/3/L.13. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 12. ACCESS TO GENETIC RESOURCES

12.1 To consider the compilation of views of the Parties on possible options for developing national legislative, administrative or policy measures, as appropriate, to implement Article 15

82. At its 7th session, on 7 November 1996, the Committee of the Whole took up consideration of the item. In introducing the item, the representative of the Secretariat drew the attention of the Committee to document UNEP/CBD/COP/3/20, which draws on and updates UNEP/CBD/COP/2/13 and highlights the key terms used in Article 15.

83. Statements were made under the item by the representatives of Argentina, Australia, Bolivia (on behalf of the group of Andean countries), Brazil, Canada, Chile, Costa Rica, Cuba, Ethiopia, Ghana (speaking on behalf of the African group), Guatemala, India, Indonesia, Ireland (on behalf of the European Union), Japan, Malaysia, Mexico, Philippines, South Africa, Spain, Sri Lanka, Switzerland, Togo and Uruguay. Statements were also made by the Biotechnology Industry Organization and the International Seed Federation.

84. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/15, on the basis of the draft decision submitted by the Chairman of the Committee of the Whole and contained in document UNEP/CBD/COP/3/L.7. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 13. ISSUES RELATED TO TECHNOLOGY

13.1 To consider ways to promote and facilitate access to and transfer and development of technology, as envisaged in Articles 16 and 18 of the Convention

85. At its 9th session, on 8 November 1996, the Committee of the Whole commenced its consideration of the item. A representative of the Secretariat introduced document UNEP/CBD/COP/3/21, a note by the Executive Secretary containing an overview of key issues related to the development and transfer of technology, explaining the main issues relating to biotechnology and outlining priority issues relating to opportunities for, and obstacles to, the transfer of technology. Document UNEP/CBD/COP/3/Inf.4, containing submissions received by the Executive Secretary on this item, was also introduced.

86. The Chairman of SBSTTA introduced recommendation II/3 of its second meeting, which suggested that future work on this topic should be linked to programme issues already identified by the Conference of the Parties.

87. Statements were made by the representatives of Argentina, Bahamas, Brazil, Canada, Chile, China, Costa Rica (on behalf of the Group of 77 and China), Cuba, Dominica, Haiti, India, Indonesia, Ireland (on behalf of the European Union), Malawi, Malaysia, Philippines, Republic of Korea, Rwanda, South Africa (on behalf of the African group), Switzerland, Tunisia and United Republic of Tanzania.

88. A representative of the United Nations Conference on Trade and development (UNCTAD) reported to the meeting on the Biotrade Initiative. A representative of the Red Latinoamericana de Botánica also made a statement.

89. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/16, on the basis of the draft decision submitted by the Chairman of the Committee of the Whole and contained in document UNEP/CBD/COP/3/L.16. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 14. INTELLECTUAL PROPERTY RIGHTS

14.1 To consider the impact of intellectual property rights on the conservation and sustainable use of biological diversity and the equitable sharing of benefits derived from its use with a view to a better understanding of the implications of Article 16.5

14.2 To consider a possible input into the negotiations that are taking place in the Committee on Trade and Environment of the World Trade Organization

90. At its 9th session, on 8 November 1996, the Committee of the Whole decided to consider the two sub-items concurrently.

91. A representative of the Secretariat introduced the documents prepared by the Executive Secretary for the consideration of item 14.1, namely,

UNEP/CBD/COP/3/22, containing a preliminary review of the impact of property rights systems on the conservation and sustainable use of biological diversity and on the equitable sharing of benefits from its use, and three documents (UNEP/CBD/COP/3/Inf.5, Inf.12 and Inf.20) containing submissions by Governments on intellectual property rights issues.

92. He also introduced the documents on item 14.2 prepared by the Executive Secretary, namely, UNEP/CBD/COP/3/23, a study of the synergies and relationship between the objectives of the Convention and of the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPs) of the General Agreement on Tariffs and Trade (GATT) and UNEP/CBD/COP/3/Inf.9 and Inf.10, background documents prepared for the Committee on Trade and Environment of the World Trade Organization (WTO).

93. Statements were made by the representatives of Argentina, Australia, Bolivia, Brazil, Canada, Colombia, Costa Rica (on behalf of the Group of 77 and China), Côte d'Ivoire (on behalf of the African group), France, Germany, Ghana, Guatemala (also on behalf of El Salvador and Honduras), India, Indonesia, Ireland (on behalf of the European Union), Japan, Malaysia, Mexico, Netherlands, New Zealand, Norway, Philippines, South Africa, Switzerland, United Republic of Tanzania and United States of America.

94. Statements were also made by the representatives of Friends of the Earth Uruguay (REDES), Fundación Natura, Green Industry Biotechnology Platform (also on behalf of the International Association of Plant Breeders), Indian Institute of Public Administration and Third World Network.

95. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/17, on the basis of the draft decision submitted by the Chairman of the Committee of the Whole and contained in document UNEP/CBD/COP/3/L.18. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 15. INCENTIVE MEASURES

15.1 To consider the compilation of information and experiences shared on the implementation of Article 11

96. At its 10th session, on 8 November 1996, the Committee of the Whole took up consideration of the item. The Chairman of SBSTTA drew attention to the relevant recommendation II/9 of the second meeting of SBSTTA and the representative of the Secretariat made reference to the related documents, namely UNEP/CBD/COP/3/24, on sharing of experiences on incentive measures for conservation and sustainable use, and UNEP/CBD/COP/3/Inf.36, containing submissions received by the Executive Secretary on incentive measures.

97. Statements under the item were made by the representatives of Argentina, Australia, Canada, Cape Verde, Colombia, Finland, Indonesia, Ireland (on behalf of the European Union), Malawi, Nepal, Netherlands, Norway, Peru, Republic of Korea, Russian Federation, Senegal, South Africa, Switzerland, Uganda (on behalf of the African group) and United States of America.

98. A statement was also made by the representative of the Netherlands Committee for the World Conservation Union (IUCN), on behalf of the non-governmental organizations and indigenous peoples' organizations present at the meeting.

99. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/11, on the basis of the draft decision submitted by the Chairman of the Committee of the Whole and contained in document UNEP/CBD/COP/3/L.11. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 16. SPECIAL SESSION OF THE GENERAL ASSEMBLY TO REVIEW IMPLEMENTATION OF AGENDA 21

16.1 To provide a report from the perspective of the Convention's three objectives

100. At its 10th session, on 8 November 1996, the Committee of the Whole considered item 16. The representative of the CBD Secretariat introduced the relevant documents, namely UNEP/CBD/COP/3/25, UNEP/CBD/COP/3/Inf.6, both relating to the special session of the General Assembly, and UNEP/CBD/COP/3/Inf.42, containing the report of the Inter-Agency Committee on Sustainable Development. A representative of the Department of Policy Coordination and Sustainable Development of the United Nations reported on behalf of the Secretariat of CSD on the preparations for the fifth session of CSD and for the special session of the General Assembly.

101. Statements under the item were made by the representatives of Canada, China, Colombia, Cuba, Hungary, Indonesia, Ireland (on behalf of the European Union), Netherlands, New Zealand, Norway and Zimbabwe.

102. The Chairman set up a working group under Mr. Terry Jones (Seychelles), Vice-President of the meeting, to prepare a draft statement from the Conference of the Parties and to report back to a future meeting of the Committee of the Whole.

103. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/19, on the basis of the draft decision submitted by the chairman of the informal working group on the item and contained in document UNEP/CBD/COP/3/L.10. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 17. ISSUES RELATED TO BIOSAFETY

17.1 To consider the first report of the Open-ended Ad Hoc Working Group on Biosafety

17.2 UNEP International Technical Guidelines for Safety in Biotechnology

104. At its 10th session, on 8 November 1996, the Committee of the Whole decided to consider items 17.1 and 17.2 of the agenda concurrently, as a single item. The item was introduced by a representative of the Secretariat,

who drew attention to three documents before the Committee of the Whole that were relevant to its consideration of the item: UNEP/CBD/COP/3/26, containing the report of the first meeting of the Open-ended Ad Hoc Working Group on Biosafety, held in Aarhus, Denmark, from 22 to 26 July 1996; UNEP/CBD/COP/3/27, containing a summary of that report; and UNEP/CBD/COP/3/28, containing the UNEP International Technical Guidelines for Safety in Biotechnology.

105. The Chairman of the first meeting of the Open-ended Ad Hoc Working Group on Biosafety, Mr. Veit Koester (Denmark), reported on the achievements of the meeting, and introduced and explained the reasoning behind the recommendations made by the Working Group.

106. Statements were made by the representatives of Argentina (on behalf of the Latin America and Caribbean group), Australia, Bolivia, Brazil, Cameroon, Canada, Chile, China, Equatorial Guinea, Guatemala (also on behalf of El Salvador and Honduras), Hungary (on behalf of a number of countries with economies in transition), Indonesia, Ireland (on behalf of the European Union), Italy, Japan, Malaysia, Mexico, Morocco, New Zealand, Norway, Philippines, Russian Federation, Sri Lanka, Switzerland, Tunisia, United Kingdom, United Republic of Tanzania, Venezuela and Zimbabwe (on behalf of the African group). Statements were also made by Biotechnology Industry Organization, Green Industry Biotechnology Platform, Greenpeace International (on behalf of 25 non-governmental organizations) and Third World Network.

107. At its 4th plenary session, on 15 November 1996, the following nominations were made to the Bureau of the Open-ended Ad Hoc Working Group on Biosafety: Mr. Tewolde Behran Gebre Egziabher (Ethiopia), Mr. David Gamble (New Zealand), Mr. Veit Koester (Denmark) and Mr. Sateeaved Seebaluck (Mauritius).

108. At the same session, the meeting adopted decision III/20, on the basis of the draft decision submitted by the Chairman of the Committee of the Whole and contained in document UNEP/CBD/COP/3/L.15. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 18. RELATIONSHIP OF THE CONVENTION WITH THE COMMISSION ON SUSTAINABLE DEVELOPMENT AND BIODIVERSITY-RELATED CONVENTIONS, OTHER INTERNATIONAL AGREEMENTS, INSTITUTIONS AND PROCESSES OF RELEVANCE

109. At its 11th session, on 11 November 1996, the Committee of the Whole decided to consider the item. The representative of Cost Rica (on behalf of the Group of 77 and China), supported by the representative of Ethiopia (on behalf of the African group), expressed concern about the number of working groups, explaining that it was difficult for small delegations to be adequately represented. In response, the Chairman said that only two working groups had been established, but that a number of informal groups had met to produce draft documents on various agenda items for further consideration by the Committee of the Whole.

110. A representative of the Secretariat introduced the item, drawing the attention of the Committee of the Whole to a number of relevant documents

that it had before it, including: UNEP/CBD/COP/3/29, on the implementation of decision II/13, containing specific recommendations aimed at promoting and strengthening institutional cooperation with other global and regional biodiversity-related conventions; UNEP/CBD/COP/3/35, which examined modalities for enhanced cooperation with relevant biodiversity-related bodies such as FAO, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and CSD; and UNEP/CBD/COP/3/30, on cooperation between the CBD and the Ramsar Convention. He noted that the texts of the memoranda of cooperation between the Executive Secretary and the secretariats of a number of other biodiversity-related conventions, contained in documen UNEP/CBD/COP/3/Inf.38, UNEP/CBD/COP/3/Inf.39 and UNEP/CBD/COP/3/Inf.40 ere also relevant, as were a number of other information documents.

111. Ms. Alojzia Lakos (Hungary), the Chairperson of the Standing Committee of the Ramsar Convention, made a statement noting the clear need for coordination of policy and action between the various biodiversity-related conventions and identifying specific areas of potential cooperation between the Convention and the Ramsar Convention. Statements were also made by the representatives of Argentina, Australia, Austria, Bulgaria (on behalf of countries with economies in transition), Cape Verde, Cuba, Dominica, Ecuador, Ethiopia, France, Ireland (on behalf of the European Union), Jamaica, Malawi, Morocco, Norway, Poland, Republic of Korea, Romania, Senegal, Switzerland, Tunisia and United Republic of Tanzania. Statements were also made by the representatives of CMS, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Intergovernmental Oceanographic Commission (IOC), FAO, the Organisation for Economic Cooperation and Development (OECD), UNEP, UNESCO and a non-governmental organization, Wetlands International.

112. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/21, on the basis of the draft decision submitted by the Chairman of the Committee of the Whole and contained in document UNEP/CBD/COP/3/L.9. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 19. MEDIUM-TERM PROGRAMME OF WORK OF THE CONFERENCE OF THE PARTIES FOR 1996-1997

113. In accordance with the decision of the Conference of the Parties at its 1st plenary session, on 4 November 1996, the Committee of the Whole considered item 19 in conjunction with sub-item 20.2. Accordingly, at its 11th session, on 11 November 1996, the Committee of the Whole took up consideration of the items.

114. Recalling that, in its decision II/18, the Conference of the Parties had decided to review, at its third meeting, the medium-term programme of work in the light of the progress achieved in the implementation of the Convention, the representative of the Secretariat introduced document UNEP/CBD/COP/3/31, containing a note from the Executive Secretary, which reviewed the 1995-1997 medium-term programme of work of the Conference of the Parties in the light of its implications for the longer-term programme of work, as well as a draft provisional agenda for the fourth meeting of the Conference of the Parties in 1997, and, in its Annex II, the draft provisional agenda of SBSTTA.

115. The representative of the Secretariat recalled the concerns expressed by SBSTTA in its recommendations II/11 and II/12 (contained in document UNEP/CBD/COP/3/3) regarding the need for prioritization, and also drew attention to the large number of meetings anticipated under the medium-term programme of work.

116. Statements under the item were made by the representatives of Armenia, Australia, Chile, China, Colombia, Costa Rica (on behalf of the Group of 77 and China), Dominica, Equatorial Guinea, Ireland (on behalf of the European Union), Jamaica, Jordan, Malawi, Morocco, New Zealand, Paraguay, Peru, Russian Federation, Santa Lucia, Singapore, Tunisia and United States of America.

117. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/22, on the basis of the draft decision submitted by the chairman of the committee on the budget and contained in document UNEP/CBD/COP/3/L.19. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 20. ADMINISTRATIVE MATTERS

20.1 Report of the Executive Secretary on the administration of the Convention

118. The Executive Secretary introduced his report on the administration of the Convention, contained in document UNEP/CBD/COP/3/32, during his address at the opening of the meeting, on 4 November 1996.

119. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/23, on the basis of the draft decision submitted by the chairman of the committee on the budget and contained in document UNEP/CBD/COP/3/L.23. The text of the decision may be found in annex II to the present report.

20.2 Budget of the Trust Fund for the Convention on Biological Diversity

120. At the 2nd plenary session, the Executive Secretary introduced the proposed budget of the Trust Fund for the Convention, contained in document UNEP/CBD/COP/3/33. He recalled that, at its second meeting, in 1995, the Conference of the Parties had adopted decision II/20, which directed the Executive Secretary, in preparing the budget for 1997, also to provide the indicative budget for 1997, attached as annex I to decision II/20, and to revise it to reflect Montreal, rather than Geneva, costings. He pointed out that several aspects of the future work of the Convention, including the SBSTTA work programme, the Jakarta Mandate and the Open-ended Ad Hoc Working Group on Biosafety, all had budget implications.

121. The Committee of the Whole was requested to consider the sub-item, in conjunction with item 19, Medium-term programme of work of the Conference of the Parties for 1996-1997, so that it could provide information, as an input to the negotiations on the budget, on its discussions and the decision on the medium-term programme of work. The Committee took up consideration of the item concurrently with item 19 at its 11th session, on 11 November 1996, and the list of statements made under the sub-item may be found, accordingly,

under item 19.

122. At its 4th plenary session, on 15 November 1996, the meeting adopted decision III/24, on the basis of the draft decision submitted by the chairman of the committee on the budget and contained in documents UNEP/CBD/COP/3/L.24 and Corr.1. The text of the decision may be found in annex II to the present report.

AGENDA ITEM 21. REPORT ON THE CREDENTIALS OF REPRESENTATIVES TO THE THIRD MEETING OF THE CONFERENCE OF THE PARTIES

123. Rule 19 of the rules of procedure of the Conference of the Parties provides that the Bureau of any meeting shall examine the credentials and submit its report to the Conference of the Parties for decision. Accordingly, the Bureau of the third meeting of the Conference of the Parties entrusted Ms. Suzana Guziová (Slovakia) with the preparation of the report on credentials.

124. At the 4th plenary session, on 15 November 1996, the Secretariat informed the meeting that, as stated in the report on credentials, the credentials of 120 Parties attending the meeting had been examined and 112 of them had been found in full compliance with the provisions of rule 18 of the rules of procedure, while those of eight Parties only partly complied with those provisions and were therefore not in good order. A further 21 Parties attending the meeting had not submitted their credentials by that date. All Parties concerned, 29 in total, had agreed to provide the Executive Secretary with their credentials in good order by 10 December 1996.

125. On the basis of the experience of the third meeting, the Bureau recommended to the plenary:

(a) That the Executive Secretary should be requested to prepare a sample format of appropriate credentials and to distribute it as an annex to the invitation letter for future meetings of the Conference of the Parties, in order to assist Parties in fulfilling the requirements of rule 18 of the rules of procedure; and

(b) That the Executive Secretary should be requested to propose to the fourth meeting of the Conference of the Parties an interpretation of the wording of rule 18 of the rules of procedure, in order to give Parties a broader understanding of the phrasing of that rule and thereby facilitating both the work of the Parties and the administration of the meetings of the Conference of the Parties.

126. The meeting of the Conference of the Parties accepted the report on credentials and endorsed the recommendations of the Bureau.

AGENDA ITEM 22. VENUE AND DATE OF THE FOURTH MEETING OF THE CONFERENCE OF THE PARTIES

127. At its 4th plenary session, on 15 November 1996, the meeting gratefully accepted the offer of Slovakia to host the fourth meeting of the Conference

of the Parties in Bratislava and decided that the dates of the fourth meeting should be 4-15 May 1998. The meeting adopted decision III/25 to that effect, on the basis of the draft decision contained in document UNEP/CBD/COP/3/L.29, submitted by the Bureau.

AGENDA ITEM 23. OTHER MATTERS

128. At its 4th plenary session, on 15 November 1996, the meeting accepted by acclamation the nomination of Mr. Zakri A. Hamid (Malaysia) as the next Chairman of SBSTTA and confirmed that his term of office would commence at the start of the third meeting of SBSTTA. At the same session, the Conference of the Parties agreed that the next meeting of SBSTTA would be held in September at the seat of the Secretariat and that the Executive Secretary would investigate and propose suitable dates.

129. The current Chairman of SBSTTA, Mr. Schei (Norway), congratulated his successor on his appointment and affirmed that he would work closely with Mr. Zakri on the arrangements for the third meeting of SBSTTA.

130. Mr. Veit Koester (Denmark) was elected by acclamation as Chairman of the Open-ended Ad Hoc Working Group on Biosafety for the period until the next meeting of the Conference of the Parties.

131. At the same plenary session, the meeting also considered the draft decision submitted by the Bureau on the convening of regional and subregional meetings for Parties to the Convention, contained in document UNEP/CBD/COP/3/L.28, and adopted, on its basis, decision III/26, the text of which is contained in annex II.

AGENDA ITEM 24. ADOPTION OF THE REPORT

132. At its 4th plenary session, on 15 November 1996, the third meeting of the Conference of the Parties adopted its report on the basis of documents UNEP/CBD/COP/L.1 and Add.1 and took note of the report of the Committee of the Whole, contained in document UNEP/CBD/COP/3/L.2, as orally amended. The report was adopted on the understanding that the Rapporteur would be entrusted with finalizing the last part of the report of the meeting.

AGENDA ITEM 25. CLOSURE OF THE MEETING

133. At its 4th plenary session, on 15 November 1996, the meeting adopted, by acclamation, decision III/27, on the basis of a draft decision contained in document UNEP/CBD/COP/3/L.26, submitted on behalf of all participants in the meeting by the representatives of Australia, Canada, the European Union, the Group of 77 and China, Iceland, Japan, New Zealand, Norway and Switzerland, and entitled "Tribute to the Government and people of the Argentine Republic". The text of the decision is contained in annex II to the present report.

134. Following the customary exchange of courtesies and after her closing statement, the President declared the third meeting of the Conference of the Parties to the Convention on Biological Diversity closed at 12 noon on 15 November 1996.

Annex I

REPORT OF THE MINISTERIAL SEGMENT

135. The ministerial segment of the third meeting of the Conference of the Parties to the Convention on Biological Diversity was held on 13 and 14 November 1996. Pursuant to the pragmatic approach suggested by the Presidency and agreed upon by the meeting, no ministerial declaration was adopted and, instead, the major views expressed at the ministerial segment will be conveyed, under the responsibility of the President, as a contribution of the Conference of the Parties to the special session of the General Assembly to review progress in the implementation of Agenda 21.

136. The ministerial segment was opened at 9 a.m. on 13 November 1996 by Ms. Maria Julia Alsogaray, President of the third meeting of the Conference of the Parties and Minister of the Environment and Natural Resources of the Argentine Republic.

137. A message to the meeting from Mr. Boutros Boutros-Ghali, Secretary-General of the United Nations, was read out by Ms. Elizabeth Dowdeswell, Executive Director of the United Nations Environment Programme (UNEP). In his message, the Secretary-General underlined the importance of the Convention on Biological Diversity as an essential component of the follow-up the United Nations Conference on Environment and Development held in Rio de Janeiro in 1992 and indicated that the outcome of the Conference of the Parties would provide valuable input to the deliberations of the fifth session of the Commission on Sustainable Development in April 1997, as well as the special session of the General Assembly to review progress in the implementation of Agenda 21.

138. Ms. Dowdeswell then addressed the meeting in her capacity as Executive Director of UNEP. In her address, the Executive Director said that, with more than 160 Parties, the Convention was becoming an international treaty with universal participation and urged countries who had not yet ratified the Convention to do so at the earliest moment. She indicated that the continuum of negotiations from the first meeting of the Conference of the Parties in Nassau to the second meeting in Jakarta had served not only to elaborate further several provisions of the Convention, but also to translate goals and objectives into reality through an ambitious programme of work. The new phase in the implementation of the Convention was also characterized by the search for focused actions related to key parts of the Convention, particularly agrobiodiversity, the role of indigenous and local communities, as well as access to genetic resources. She also informed the meeting that, in accordance with the request made at the second meeting of the Conference of the Parties, the headquarters agreement between Canada and UNEP had been signed. She indicated that UNEP, despite financial constraints, had allocated considerable means in support of the Convention and, while reviewing such activities, drew particular attention to the release of a publication entitled "Human and Cultural Value of Biodiversity" as a contribution to the implementation of Article 8 of the Convention. In conclusion, she said that basic negotiations had now been completed and the time had come for action. She recollected an ancient superstition of the sea which held that one wave inevitably came along which was greater than any

that had preceded it. If the international community was well prepared, it could catch the might of that wave to bring the Convention to full implementation of its three objectives. The Conference of the Parties was a key step to preparedness to catch that energy.

139. Statements were made at the opening session of the ministerial segment by the Ministers of Environment, or their representatives, of Algeria, Bolivia, Central African Republic (on behalf of the African Ministerial Conference on the Environment), Colombia, Costa Rica (on behalf of the Group of 77 and China), Indonesia, Iran (Islamic Republic of), Ireland (on behalf of the European Union), Kazakstan, Slovakia and Switzerland.

140. At its 2nd session, on 13 November 1996, the ministerial segment was addressed by Mr. Carlos Saúl Menem, President of the Argentine Republic. In his address, the President said that not enough progress had been made in halting mankind's destruction of its own habitat, which he described as "the challenge of our times". He called for a world strategy on forests. This was a matter of urgency and should take account of all the underlying causes of degradation and loss of those ecosystems. He also expressed the view that, at the Earth Summit of 1992, humanity had initiated a process leading to a "Nature Contract" similar in impact to the "Social Contract" of the eighteenth century. He stated that respect for traditional communities had been deferred for too long within the Convention on Biological Diversity and that the harmonious relationship with the environment should serve as a model to guide our actions. He closed by saying that if those processes, as well as irrational wars between neighbouring peoples, continued, in the space of a few years we would be forced to lament the loss of that which we could not defend.

141. At the same session, statements were made by the Ministers of Environment, or their representatives, of Australia, Barbados, Benin, Brazil, Canada, Chad, China, Côte d'Ivoire, Cuba, Germany, Haiti, Honduras, Hungary, India, Lao People's Democratic Republic, Malawi, Mexico, Norway, Peru, South Africa, United Kingdom and Venezuela.

142. At the 3rd session of the ministerial segment, on 14 November 1996, the meeting heard statements by the Ministers of Environment, or their representatives, of Austria, Belarus, Chile, Czech Republic, Finland, Guatemala, Lesotho, Nicaragua, Philippines, Portugal, Republic of Korea, Russian Federation, Seychelles, Togo, Trinidad and Tobago (on behalf of the Alliance of Small Island States), Uruguay and Western Samoa, and by a representative of the European Community.

143. At the 4th session of the ministerial segment, on 14 November 1996, the meeting heard statements by the Ministers of Environment, or their representatives, of Bahamas, Bulgaria, Cameroon, Italy, Japan, Kyrgyzstan, Mauritius, Micronesia (Federated States of), Netherlands, Papua New Guinea, Poland, Romania, Rwanda, Spain, Thailand and United States of America. In addition, statements were made by the representatives of IUCN, UNCTAD and UNESCO, as well as by the representatives of the Biotechnology Industry Organization, the Indigenous Peoples' Biodiversity Network and the International Forum of Non-Governmental Organizations.

144. At the 5th session of the ministerial segment, on 14 November 1996, the meeting heard statements by the Ministers of Environment, or their representatives, of Bangladesh, Burkina Faso, Croatia, Denmark, Dominica, Egypt, Eritrea, Estonia, France, Ghana, Guyana, Kenya, Monaco, Mozambique, Pakistan, Sri Lanka, Suriname, Sweden, Syria, Tunisia and Ukraine. In addition, statements were made by the representatives of FAO and Cooperativa Tecnico Scientifica di Base (COBASE).

Annex II

DECISIONS ADOPTED BY THE THIRD MEETING OF THE CONFERENCE OF THE PARTIES

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III/1. Pending issues arising from the work of the second Meeting of the Conference of the Parties

The Conference of the Parties,

Having considered paragraphs 4 and 16 of the financial rules for the administration of the Trust Fund for the Convention on Biological Diversity and paragraph 1 of rule 40 of the rules of procedure for meetings of the Conference of the Parties,

1. Decides to transmit to the fourth meeting of the Conference of the Parties, for further consideration, paragraph 4 of the financial rules as contained in the annex to the present decision;

2. Also decides to transmit to the fourth meeting of the Conference of the Parties, for further consideration, paragraph 16 of the financial rules as contained in annex II of decision II/20, entitled "Financing of and budget for the Convention", contained in document UNEP/CBD/COP/2/19.

3. Further decides to transmit to its fourth meeting for further consideration paragraph 1 of rule 40 of the rules of procedure for meetings of the Conference of the Parties.

Annex

"It is for the Conference of the Parties to determine the scale referred to in paragraph 3 (a) above. The scale is based on the United Nations scale of assessments for the apportionment of the expenses of the United Nations [adjusted to provide that no developing country Party shall be required to pay more than any developed country Party]. This scale of assessments shall apply unless amended by the Conference of the Parties. The contributions referred to in paragraph 3 (a) shall be due on 1 January of each calendar year."

Appendix

FINANCIAL RULES FOR THE ADMINISTRATION OF THE TRUST FUND FOR THE CONVENTION ON BIOLOGICAL DIVERSITY 1/

1. The Conference of the Parties to the Convention shall designate an organization (hereinafter referred to as the Trustee) which shall establish and manage the Trust Fund for the Convention on Biological Diversity (hereinafter referred to as the Trust Fund) in accordance with these rules.

2. The Trust Fund shall be used for funding the administration of the Convention, including the functions of the Secretariat.

3. The Trust Fund shall be financed from:

1/ As contained in Annex II of decision II/20 and amended by the present decision.

(a) Contributions made by Parties to the Convention based on the scale set forth in the appendix to the budget;

(b) Additional contributions made by such Parties;

(c) Contributions from States not Parties to the Convention, as well as governmental, intergovernmental and non-governmental organizations, and other sources.

4. It is for the Conference of the Parties to determine the scale referred to in paragraph 3 (a) above. The scale is to be based on the United Nations scale of assessments for the apportionment of the expenses of the United Nations [adjusted to provide that no developing country Party shall be required to pay more than any developed country Party]. This scale of assessments shall apply unless amended by the Conference of the Parties. The contributions referred to in paragraph 3 (a) shall be due on 1 January of each calendar year.

5. All contributions shall be paid in United States dollars or their equivalent in a convertible currency and into a bank account to be specified by the Trustee. In conversion of currencies into United States dollars, the United Nations operational rate of exchange shall be used.

6. Accounting records shall be kept in such currency or currencies as the Trustee deems necessary.

7. (a) Budget proposals expressed in United States dollars covering the expenditure and income from contributions referred to in paragraph 3 (a) above shall be prepared by the head of the Secretariat (hereinafter referred to as the Executive Secretary) for periods of two calendar years at the minimum. At least 90 days before the date fixed for the opening of each ordinary meeting of the Conference of the Parties, these budget proposals shall be dispatched by the Executive Secretary to all Parties to the Convention.

(b) The budget shall, in accordance with rule 16, be approved by the Conference of the Parties and, if necessary, be revised at an ordinary or extraordinary meeting of the Parties.

8. Contributions referred to in paragraphs 3 (b) and (c) shall be used in accordance with any terms and conditions agreed between the Executive Secretary and the respective contributor. At each ordinary meeting of the Conference of the Parties, the Executive Secretary shall present a report on contributions received and expected as well as their sources, amounts, purposes and conditions.

9. The Executive Secretary may commit resources against the Trust Fund only if such commitments are covered by contributions already received. In the event that the Trustee anticipates that there might be a shortfall in resources over the financial period as a whole, it shall notify the Executive Secretary, who shall adjust the budget so that expenditures are at all times fully covered by contributions received.

10. The Trustee, on the advice of the Executive Secretary, may make transfers from one budget line to another within the budget in accordance with the Financial Regulations and Rules of the United Nations.

11. Contributions referred to in paragraph 3 (a) above from States and regional economic integration organizations that become Parties to the Convention after the beginning of a financial period shall be made pro rata temporis for the balance of that financial period. Consequent adjustments shall be made at the end of each financial period for other Parties.

12. Contributions not immediately required for the purposes of the Trust Fund shall be invested, and any interest so earned shall be credited to the Trust Fund.

13. It is for the Conference of the Parties and the Trustee to agree on an administrative support charge to be paid to the Trustee.

14. At the end of each calendar year, the Trustee shall transfer any balance to the following calendar year and submit to the Conference of the Parties, through the Executive Secretary, the certified and audited accounts for that year as soon as practicable. The Trust Fund shall be subjected to the internal and external auditing procedure of the United Nations as laid down in the Financial Regulations and Rules of the United Nations.

15. In the event that the Conference of the Parties decides to terminate the Trust Fund, a notification to that effect shall be presented to the Trustee at least six months before the date of termination selected by the Conference of the Parties. The Conference of the Parties shall decide, in consultation with the Trustee, on the distribution on any unspent balance after all liquidation expenses have been met.

[16A. The Parties shall reach agreement by consensus on:

(a) The scale and any subsequent revision to it;

(b) The budget.]

[16B. The Parties shall make every effort to reach agreement on the budget by consensus. If all efforts to reach consensus on the budget have been exhausted and no agreement has been reached, the budget shall, as a last resort, be adopted by a [two-thirds] [four-fifths] majority vote of the Parties present and voting representing a [two-thirds] [four-fifths] majority vote of the developing country Parties present and voting and a [two-thirds] [four-fifths] majority vote of the other Parties present and voting.]

17. Any amendments to these rules shall be adopted by the Conference of the Parties by consensus.

III/2. Report and recommendations of the second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice

The Conference of the Parties,

Recalling its decision II/1, which endorsed recommendation I/1 of the Subsidiary Body on Scientific, Technical and Technological Advice on the modus operandi of that Body, and which requested it to keep under review its modus operandi with a view to improving its functioning on the basis of experience gained,

Noting, in particular, the recommendation of the Subsidiary Body on Scientific, Technical and Technological Advice that it adopt a thematic approach to its work,

1. Takes note of the report of the second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, held at the seat of the Secretariat from 2 to 6 September 1996, contained in document UNEP/CBD/COP/3/3;

2. Notes recommendation II/11 of the Subsidiary Body on Scientific, Technical and Technological Advice which contains the proposed revised elements of its modus operandi, and decides to consider this recommendation further at its fourth meeting as part of the longer-term review of the programme of work and the operations of the Conference of the Parties and subsidiary organs.

III/3. Use of languages in the meetings of the Subsidiary Body on Scientific, Technical and Technological Advice

The Conference of the Parties,

Recalling the recommendations of the Subsidiary Body on Scientific, Technical and Technological Advice contained in document UNEP/CBD/COP/3/3,

1. Takes note of the concern expressed by several delegations that the proceedings of the Subsidiary Body on Scientific, Technical and Technological Advice are conducted only in the working languages of the Conference of the Parties;

2. Takes note also of the estimates given by the Secretariat of the cost of holding meetings of the Subsidiary Body on Scientific, Technical and Technological Advice in the six languages of the United Nations;

3. Decides that the meetings of the Subsidiary Body on Scientific, Technical and Technological Advice will be held in the six official languages of the United Nations and that the modus operandi of the Subsidiary Body on Scientific, Technical and Technological Advice will be modified accordingly;

4. Further decides that the amount of US$ 500,000 will be allocated in the core budget to cover administrative costs of servicing the Subsidiary Body on Scientific, Technical and Technological Advice meeting in 1997.

III/4. Clearing-house mechanism to promote and facilitate technical and scientific cooperation

The Conference of the Parties,

Recalling decision I/3 of the Conference of Parties, that a clearing-house mechanism should be established, in accordance with Article 18, paragraph 3, of the Convention, to promote and facilitate technical and scientific cooperation,

Recalling also decision II/3 of the Conference of Parties on the development of the clearing-house mechanism through the establishment of a pilot phase for 1996-1997 and related activities to promote technical and scientific cooperation,

Having examined the note by the Executive Secretary, contained in document UNEP/CBD/COP/3/4, which emphasizes the main features of the operational framework of the pilot phase of the clearing-house mechanism, namely, information linking and organization, visualization and the decision support function,

Noting that progress made to date in the implementation of the pilot phase has produced valuable insights as to the future development of the clearing-house mechanism and concerned that it is now time for these initial experiences to be brought together and advanced in a systematic manner so as to ensure that the clearing-house mechanism is expeditiously implemented in accordance with the expectations of the Parties,

Noting also:

(a) The crucial part played by technical and scientific cooperation on all aspects of biological diversity, including taxonomy and transfer of technology, in ensuring the capacity of the clearing-house mechanism to play an important role in the implementation of the Convention;

(b) The need for the clearing-house mechanism to be clearly focused on the implementation of the Convention;

(c) The need for the clearing-house mechanism activities to include information exchange modalities additional to the Internet to ensure the participation of Parties without Internet access;

(d) The need for capacity-building for the purposes of the clearing-house mechanism in developing countries, including training on information systems technologies that will allow developing countries to take advantage of the recent developments in electronic communication, including the Internet;

(e) The advantages of country-driven pilot projects focused on priority areas identified by the Conference of Parties which would enable developing countries to begin to implement the main features of the pilot phase of the clearing-house mechanism,

1. Decides that the pilot phase approved in its decision II/3 shall

be extended for a further year, until December 1998;

2. Requests the Global Environment Facility to support the activities referred to in paragraphs (d) and (e) above as critical components in the implementation of the clearing-house mechanism at the national, subregional and regional levels, including in the pilot phase;

3. Further requests the interim financial mechanism to implement its revised operational criteria for enabling activities in relation to the clearing-house mechanism to give effect, as quickly as possible, to the recommendations contained in paragraph 2 above;

4. Also requests Governments and other bilateral and multilateral funding institutions, as far as possible and as appropriate, to provide funding for capacity-building related to the implementation of the clearing-house mechanism;

5. Requests Governments and relevant financial, scientific and technical institutions to facilitate, including through the provision of voluntary contributions, regional workshops with a view to attaining a clear definition of country and regional-level scientific and technical information needs and priorities identified and modalities to deliver information and evaluate national capacities for the implementation of the Convention. Such workshops should also review experience in scientific and technical cooperation in support of the objectives of the Convention, in order to identify ways by which the clearing-house mechanism can best facilitate such cooperation;

6. Emphasizes that the key characteristics of the clearing-house mechanism are, inter alia, that it should be compatible with national capacities, needs-driven and decentralized in nature, should provide access to meta-data, should provide support to the decision-making process, and should to the extent possible involve the private sector;

7. Recommends that the clearing-house mechanism should disseminate, in addition to scientific and technical information, information on policy and management issues relevant to the implementation of the Convention;

8. Endorses the proposal of the Secretariat for the publication of a clearing-house mechanism newsletter;

9. Recognizes that ownership of all information made available through the clearing-house mechanism shall remain with the provider of the information;

10. Agrees that the clearing-house mechanism shall be assisted in its functioning by an informal advisory committee, constituted and coordinated by the Executive Secretary in a transparent manner, which will guide and integrate the development of the pilot phase activities and endeavour to ensure that all Parties can participate in the pilot phase of the clearing-house mechanism;

11. Recommends that one important role of the clearing-house mechanism at the national level should be to provide relevant information

linkages to the national focal points and relevant thematic focal points, in order to facilitate the fair and equitable sharing of the benefits arising out of the utilization of genetic resources. Linkages to patent offices in each country for up-to-date information on new patent registrations and patents in the public domain provide an example of one mechanism;

12. Recommends that the work of the clearing-house mechanism at the international level focus on providing thematic focal points for linking to the activities at the national and regional level;

13. Recognizes that close cooperation is needed with other conventions and agreements, and requests the Secretariat to identify those activities and organizations which could support the clearing-house mechanism, and to provide appropriate advice to the Subsidiary Body on Scientific, Technical and Technological Advice at its next meeting;

14. Recognizes the role of the Secretariat in the coordination of the successful implementation of the clearing-house mechanism, and recommends that the clearing-house mechanism posts within the Secretariat should be filled as soon as possible;

15. Requests all Parties to designate their clearing-house mechanism national focal points and make them operational as soon as possible;

16. Requests those Parties with access to the Internet to connect their national clearing-house mechanism homepage to the Secretariat's clearing-house mechanism homepage on the Internet, where possible, and further requests the Executive Secretary and partners to collaborate on the provision of advice to Parties and others on, inter alia, the necessary layout and system specifications.

III/5. Additional guidance to the financial mechanism

The Conference of the Parties,

Bearing in mind Articles 20 and 21 of the convention,

Underlining the importance of paragraphs 1 and 4 of Article 20 of the Convention,

Taking into account, in particular, paragraph 6 of decision II/6,

Recalling paragraph 6 of decision II/7, which emphasizes the importance of capacity/building and requests the interim financial mechanism under the convention to facilitate the urgent implementation of Articles 6 and 8 of the Convention by making available to developing country Parties financial resources for projects in a flexible and expeditious manner,

Recognizing that the Global Environment Facility, as stated in its Operational Principles for Development and Implementation of its Work Programme will maintain sufficient flexibility to respond to changing circumstances, including evolving guidance of the Conference of the Parties and experience gained from monitoring and evaluation activities,

Recognizing further that the Global Environment Facility, in its operational criteria for enabling activities for biodiversity, anticipates that these criteria will need to be reviewed and revised on the basis of early implementation experience, as necessary,

Recognizing progress made by the Global Environment Facility, in particular, concerning the Global Environment Facility decisions on medium-sized projects and enabling activities,

Recognizing also difficulties encountered with the application of the Operational Strategy of the Global Environment Facility, the project appraisal process, the application of the criteria for determining incremental costs and the procedures applied by the Implementing Agencies,

Recognizing further the need for a balanced implementation of the provisions of the Convention,

Taking note of the report of the Global Environment Facility to the third meeting of the Conference of the Parties, in which information was provided on the efforts to ensure that funding of its activities is in conformity with the policy, strategy, eligibility criteria and programme priorities of the Conference of the Parties, and in particular, the expedited procedures adopted for enabling activities in the biodiversity focal area,

1. Urges the Implementing Agencies of the Global Environment Facility to enhance cooperation to increase efforts to improve the processing and delivery systems of the Global Environment Facility;

2. Decides to provide the following additional guidance to the Global Environment Facility in the provision of financial resources in conformity with decisions I/2 and II/6 of the first and second meetings of the Conference of the Parties. In this regard, the Global Environment Facility shall provide financial resources to developing countries for country-driven activities and programmes, consistent with national priorities and objectives, recognizing that economic and social development and poverty eradication are the first and overriding priorities of developing countries:

(a) For capacity-building in biosafety, including for the implementation by developing countries of the UNEP International Technical Guidelines on Safety in Biotechnology;

(b) For capacity-building, including taxonomy, to enable developing countries to develop and carry out an initial assessment for designing, implementing and monitoring programmes in accordance with Article 7, taking into account the special need of small island States (Note: The Conference of the Parties endorsed recommendation II/2 of the Subsidiary Body on Scientific, Technical and Technological Advice, concerning capacity-building for taxonomy);

(c) For supporting, as a priority, efforts for the conservation and sustainable use of biological diversity important to agriculture, in accordance with decision 3/11;

(d) For supporting the following activities as critical components in the implementation of the clearing-house mechanism at the national, subregional and regional levels, including in the pilot phase, to which critical components the Global Environment Facility shall give effect by implementing its revised operational criteria for enabling activities in relation to the clearing-house mechanism as quickly as possible:

(i) capacity-building for the purpose of the clearing-house mechanism, including training in information systems technologies that will allow developing countries to take advantage of the recent developments in electronic communication, including the Internet;

(ii) country-driven pilot projects, focused on priority areas identified by the Conference of the Parties which would enable developing countries to begin to implement the main features of the pilot-phase of the clearing-house mechanism;

3. Reconfirms the importance of the Global Environment Facility's support for incentive measures, guidance for which was contained in Annex I to decision I/2, paragraph 4 (i), taking note of decision III/18;

4. Urges the Global Environment Facility, along with Governments, regional economic integration organizations, and competent international, regional and national organizations, to support human and institutional capacity-building programmes for Governments, non-governmental organizations and local and indigenous communities, as appropriate, to promote the successful development and implementation of legislative, administrative and policy measures and guidances on access to genetic resources, including scientific, technical, business, legal and management skills and capacities;

5. Requests the Global Environment Facility to examine the support of capacity-building projects for indigenous and local communities embodying traditional lifestyles related to the preservation and maintenance of their knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity with their prior informed consent and their participation;

6. Requests the Global Environment Facility, in preparing projects in conformity with the Conference of the Parties guidance on policy, strategy, programme priorities and eligibility criteria, to include in such projects, when relevant to the project's objectives and consistent with national priorities, project components addressing:

(a) Targeted research which contributes to conservation of biological diversity and the sustainable use of its components including research for reversing current trends of biodiversity loss and species extinction;

(b) Promotion of the understanding of the importance of, and measures required for, the conservation and sustainable use of biological diversity;

7. Requests the Secretariat of the Convention and the Global Environment Facility to collaborate in preparing, for consideration by the Conference of the Parties at its fourth meeting, a proposal on the means to address the fair and equitable sharing of the benefits arising out of genetic resources including assistance to developing country Parties.

III/6. Additional financial resources

The Conference of the Parties,

Recalling Article 21, paragraph 4, of the Convention, which states that "the Contracting Parties shall consider strengthening existing financial institutions to provide financial resources for the conservation and sustainable use of biological diversity", as well as Article 20, paragraph 2,

Recalling also decision II/6, by which it requested the Executive Secretary to explore possibilities to identify additional financial resources, to continue to monitor the availability of additional financial resources, and to study characteristics specific to biological diversity activities to allow the Conference of the Parties to make suggestions to funding institutions on how to make their activities in the area of biological diversity more supportive of the Convention,

Recognizing the importance of identifying alternative sources of funding in support of the Convention,

Taking note of elements contained in documents UNEP/CBD/COP/3/7 and UNEP/CBD/COP/3/37,

1. Urges all funding institutions, including bilateral and multilateral donors as well as regional funding institutions and non-governmental organizations, to strive to make their activities more supportive of the Convention, taking into account, inter alia, relevant elements contained in document UNEP/CBD/COP/3/7;

2. Requests the Executive Secretary:

(a) To explore as soon as possible ways of collaborating with funding institutions to facilitate these efforts to achieve greater support for the Convention;

(b) To invite all funding institutions to provide information to the Secretariat on ways in which their activities support the Convention, and further requests the Secretariat to submit a report to the next Conference of the Parties on the basis of this information;

3. Requests the Executive Secretary to explore further possibilities for encouraging the involvement of the private sector in supporting the Convention's objectives;

4. Urges developed country Parties to cooperate in the development, where possible, of standardized information on their financial support for the objectives of the Convention on Biological Diversity. Where possible, these Parties should submit this information to the Secretariat of the

Convention on Biological Diversity in their national reports;

5. Invites other funding institutions, including bilateral and multilateral donors as well as regional funding institutions and non-governmental organizations, to compile information on their financial support for the Convention and to provide the Secretariat with such information;

6. Requests the Executive Secretary to make the information referred to above available to the Conference of the Parties.

III/7. Guidelines for the review of the effectiveness of the financial mechanism

The Conference of the Parties,

Recalling paragraph 3 of Article 21 of the Convention on Biological Diversity, which provides for the Conference of Parties to review the effectiveness of the financial mechanism,

Recalling further decision II/6, paragraph 3, on the further development of the guidelines for the review of the effectiveness of the financial mechanism for consideration and decision by the Conference of the Parties at its third meeting,

1. Decides to adopt the attached Annex, containing the objectives and criteria for the first review of the effectiveness of the financial mechanism to be conducted in time for the fourth meeting of the Conference of the Parties;

2. Decides also that the review referred to in paragraph 3 of Article 21 of the Convention should be conducted under the authority of the Conference of the Parties;

3. Decides further that, based on the results of the review, the Conference of the Parties shall take appropriate action to improve the effectiveness of the mechanism if necessary.

Annex

OBJECTIVES AND CRITERIA FOR THE FIRST REVIEW OF THE EFFECTIVENESS OF THE FINANCIAL MECHANISM

A. Objectives

1. In accordance with Article 21, paragraph 3, of the Convention, the objectives shall be to review and take appropriate action, if necessary, to improve:

(a) The effectiveness of the financial mechanism in providing financial resources;

(b) The conformity of the activities of the restructured Global

Environment Facility (GEF), as the institutional structure operating the financial mechanism on an interim basis, with the guidance of the Conference of the Parties; and

(c) The effectiveness of GEF-funded activities on the implementation of the Convention.

B. Methodology

2. The review shall draw upon, inter alia, the following sources of information:

(a) Information provided by the Parties on their experiences gained through activities funded by the financial mechanism;

(b) Annual reviews by the Conference of the Parties on the conformity of the activities of the financial mechanism with the guidance of the Conference of the Parties;

(c) The GEF annual report to the Conference of the Parties on its activities as the institutional structure to operate the financial mechanism, the annual reports of GEF and other relevant GEF policy and information documents;

(d) Reports from the GEF monitoring and evaluation programme;

(e) Information available from the United Nations Commission on Sustainable Development and the Organisation for Economic Cooperation and Development, and relevant bilateral and multilateral funding institutions; and

(f) Information provided by inter-governmental organizations and non-governmental organizations.

C. Criteria

3. The effectiveness of the financial mechanism shall be assessed against, inter alia, the following criteria:

(a) The effectiveness of the financial mechanism in providing financial resources for the implementation of the Convention's objectives in respect of, inter alia:

(i) the adequacy, predictability and timely disbursement of funds for projects;

(ii) the responsiveness and efficiency of the GEF project cycle and operational strategy as it relates to biological diversity;

(iii) the ability of GEF to leverage additional finance; and

(iv) the sustainability of funded projects 2/; and

(b) Application of the criteria of agreed full incremental costs to enable developing country Parties to implement the Convention, keeping in mind the provision of new and additional financial resources, in accordance with Article 20.2;

(c) The conformity of the activities of the financial mechanism with the guidance of the Conference of the Parties, as contained in decisions I/2, II/3, II/6, II/7, II/17 and III/5, which include:

(i) the eligibility criteria;

(ii) programme priorities;

(iii) the provision of financial resources for projects in a flexible and expeditious manner to facilitate the Parties' urgent implementation of Articles 6 and 8 of the Convention;

(iv) the programme of grants for medium-sized projects; and

(v) decision II/17 on national reporting by the Parties; and

(d) The effectiveness of GEF-funded activities on the implementation of the Convention. 3/

D. Procedures

4. Under the authority and with the support of the Conference of the Parties, the Secretariat shall prepare background documentation for review by the Conference of the Parties and submit this documentation to the Parties at least three months before the fourth meeting of the Conference of the Parties, according to the above criteria, and shall, if necessary, appoint a consultant for this purpose.

5. In compiling the information for the review the Secretariat shall develop a questionnaire using the criteria adopted in this decision to be sent to the Parties for the provision of required information.

6. The Secretariat shall also ensure that field visits are effected in a selected number of country Parties in all geographical regions, in order to assess the process and to identify impediments, if any.

7. The Secretariat shall take the opportunity of relevant meetings to meet and interview stakeholders, including GEF and its Implementing Agencies.

2/ The Conference of the Parties recognizes that sustainability is a shared responsibility of the financial mechanism and the Parties.

3/ The impact that the activities funded have on the realization of the Convention's objectives is of a long-term nature and thus information on impacts may not be available until further project experience has been gained.

8. On the basis of all information received, the Secretariat will prepare a synthesis to assess the progress in meeting the requirements of this annex. This synthesis will be sent for appraisal by five representatives of Parties nominated on a regional basis to ensure that the requirements of this annex will be met in a timely and comprehensive manner. Taking account of comments received, the Secretariat will distribute copies of the synthesis to all Parties and relevant bodies for their comments and any further contributions. On the basis of these, the Secretariat will prepare a draft report, which will be presented to the above regional representatives to ensure its compliance with the terms of this annex. The draft report will also be made available to GEF and the Implementing Agencies. The Secretariat will submit the synthesis report, with supporting documents as necessary, to Parties not later than three months prior to the fourth meeting of the Conference of the Parties. The supporting documents will include any comments and other information identified by source.

9. The Conference of the Parties shall, if necessary, take appropriate actions to improve the effectiveness of the financial mechanism and/or the effectiveness of this review procedure.

III/8. Memorandum of understanding between the Conference of the Parties to the Convention on Biological Diversity and the Council of the Global Environment Facility

The Conference of the Parties,

Recalling Articles 20 and 21 of the Convention on Biological Diversity,

Recalling further decision 11/6 on financial resources and mechanism,

1. Adopts the Memorandum of Understanding contained in the annex to the present decision;

2. Requests the Executive Secretary to transmit this decision to the Council of the Global Environment Facility.

Annex

MEMORANDUM OF UNDERSTANDING BETWEEN THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY AND THE COUNCIL OF THE GLOBAL ENVIRONMENT FACILITY

Preamble

The Conference of the Parties to the Convention on Biological Diversity (hereinafter the Conference of the Parties) and the Council of the Global Environment Facility (hereinafter the Council),

Recognizing the characteristics of the financial mechanism for the provision of financial resources for the purposes of the Convention on Biological Diversity (hereinafter the Convention) outlined in Article 21, paragraph 1, of the Convention, and the provisions of Article 21, paragraph 2, of the Convention, which call upon the Conference of the Parties

to decide on the arrangements to give effect to Article 21, paragraph 1, after consultation with the institutional structure entrusted with the operation of the financial mechanism,

Recognizing further the willingness of the Global Environment Facility (hereinafter GEF) to serve for the purposes of the financial mechanism for the implementation of the Convention,

Recognizing that the financial mechanism shall function under the authority and guidance of and be accountable to the Conference of the Parties for the purposes of the Convention and that GEF as decided by the Conference of the Parties will operate the financial mechanism of the Convention on an interim basis in accordance with Article 39 of the Convention,

Having consulted with each other and taking into account the relevant aspects of their governance structures as reflected in their constituent instruments,

Have reached the following understanding:

1. Purpose

1.1 The purpose of the present Memorandum of Understanding is to make provision for the relationship between the Conference of the Parties and the Council in order to give effect to the provisions of Article 21, paragraph 1, of the Convention and paragraph 26 of the GEF Instrument and, on an interim basis, in accordance with Article 39 of the Convention.

2. Guidance from the Conference of the Parties

2.1 In accordance with Article 21 of the Convention the Conference of the Parties will determine the policy, strategy, programme priorities and eligibility criteria for access to and utilization of financial resources available through the financial mechanism, including monitoring and evaluation on a regular basis of such utilization. GEF, in operating the financial mechanism under the Convention, will finance activities that are in full conformity with the guidance provided to it by the Conference of the Parties. For this purpose, the Conference of the Parties will communicate its guidance, and any revisions to such guidance as it may adopt, on the following matters:

(a) Policy and strategy;

(b) Programme priorities;

(c) Eligibility criteria;

(d) An indicative list of incremental costs;

(e) A list of developed country Parties and other Parties which voluntarily assume the obligations of developed country Parties;

(f) Any other matter relating to Article 21, including periodic

determination of the amount of resources needed as detailed in paragraph 5 of this Memorandum.

2.2 The Council will communicate to the Conference of the Parties all relevant information, including information on the projects in the area of biological diversity funded by GEF outside the framework of the financial mechanism of the Convention.

3. Reporting

3.1 The Council will prepare and submit a report for each ordinary meeting of the Conference of the Parties.

3.2 The reports will include specific information on how the GEF Council, its Secretariat and its Implementing and Executing Agencies have applied the guidance and implemented the policy, strategies, programme priorities and eligibility criteria determined by the Conference of the Parties, as well as any other decision of the Conference of the Parties communicated to GEF, under Article 21 of the Convention. The Council should also report on its monitoring and evaluation activities concerning projects in the biodiversity focal area.

3.3. In particular, the reports will provide detailed information on the GEF biodiversity focal area, including:

(a) Information on how GEF has responded to the guidance provided by the Conference of the Parties as described by paragraph 2, including, where appropriate, through its incorporation in the GEF operational strategy and operational programmes;

(b) The conformity of the approved work programmes with guidance of the Conference of the Parties;

(c) A synthesis of the different projects under implementation and a listing of the projects approved by the Council in the biodiversity focal area, as well as a financial report with an indication of the financial resources allocated to these projects;

(d) A list of project proposals submitted for approval to the Council, through the GEF Implementing Agencies, by eligible Parties, including reporting on their approval status and, in cases of projects not approved, the reasons therefore;

(e) A review of the project activities approved by GEF and their outcomes, including information on funding and progress in implementation; and

(f) Additional financial resources leveraged by GEF for the implementation of the Convention.

3.4 In order to meet the requirements of accountability to the Conference of the Parties, reports submitted by the Council will cover all GEF-financed activities carried out for the purpose of the Convention,

whether decisions on such activities are made by the Council or by the GEF Implementing and/or Executing Agencies. To this end, the Council will make arrangements as might be necessary with the Implementing Agencies regarding disclosure of information.

3.5 The Council will also provide information on other matters concerning the discharge of its functions under Article 21, paragraph 1, as may be requested by the Conference of the Parties. If the Council has difficulties in responding to any such request, it will explain its concerns to the Conference of the Parties and the Conference of the Parties and the Council will find a mutually agreed solution.

4. Monitoring and evaluation

4.1 The Conference of the Parties may raise with the Council any matter arising from the reports received.

4.2 The funding decisions for specific projects should be agreed between the developing country Party concerned and GEF in accordance with policy, strategy, programme priorities and eligibility criteria established by the Conference of the Parties. The GEF Council is responsible for approving the GEF work programmes. If a Party considers that a decision of the Council regarding a specific project was not made in compliance with the policies, programme priorities and eligibility criteria established by the Conference of the Parties in the context of the Convention, the Conference of the Parties should analyse the observations presented to it by the Party and take decisions on the basis of compliance with such policy, strategy, programme priorities and eligibility criteria. In the event that the Conference of the Parties considers that this specific project decision does not comply with the policy, strategy, programme priorities and eligibility criteria established by the Conference of the Parties, it may ask the GEF Council for further clarification on the specific project decision.

4.3 As provided for in Article 21, paragraph 3, of the Convention, the Conference of the Parties will periodically review the effectiveness of the financial mechanism in implementing the Convention and communicate to the Council relevant decisions taken by the Conference of the Parties as the result of such review, to improve the effectiveness of the financial mechanism in assisting developing country Parties to implement the Convention.

5. Determination of funding requirements

5.1 In anticipation of the replenishment of GEF, the Conference of the Parties will make an assessment of the amount of funds that are necessary to assist developing countries, in accordance with the guidance provided by the Conference of the Parties, in fulfilling their commitments under the Convention over the next GEF replenishment cycle, taking into account:

(a) Article 20, paragraph 2, and Article 21, paragraph 1, of the Convention;

(b) Guidance to the financial mechanism from the Conference of the Parties which calls for future financial resources;

(c) The information communicated to the Conference of the Parties in the national reports submitted in accordance with Article 26 of the Convention;

(d) National strategies, plans or programs developed in accordance with Article 6 of the Convention;

(e) Information communicated to the Conference of the Parties from GEF on the number of eligible programmes and projects that were submitted to GEF, the number that were approved for funding, and the number that were turned down owing to lack of resources;

(f) Experience gained by those concerned in the implementation of projects.

5.2 On the occasion of each replenishment, GEF will, in its regular report to the Conference of the Parties as provided for in paragraph 3 of this Memorandum of Understanding, indicate how it has responded during the replenishment cycle to the previous assessment by the Conference of the Parties prepared in accordance with paragraph 5.1 and inform the Conference of the Parties of the conclusion of replenishment negotiations.

5.3 On the basis of the report referred to in paragraph 5.2 of this Memorandum of Understanding the Conference of the Parties will review the amount of funding necessary for the implementation of the Convention, on the occasion of each replenishment of the financial mechanism.

6. Reciprocal representation

On a reciprocal basis, representatives of GEF will be invited to attend meetings of the Conference of the Parties and representatives of the Convention will be invited to attend meetings of GEF.

7. Inter-secretariat cooperation

The Secretariat of the Convention and the Secretariat of GEF will communicate and cooperate with each other and consult on a regular basis to facilitate the effectiveness of the financial mechanism in assisting developing country Parties to implement the Convention. In particular, the two secretariats will consult on the project proposals under consideration for inclusion in a proposed work programme, especially with regard to the consistency of the project proposals with the guidance of the Conference of the Parties. Official documentation of GEF will be made available to the Secretariat of the Convention on Biological Diversity.

8. Amendments

Any amendments to the present Memorandum of Understanding will be

decided upon by the Conference of the Parties and the Council in writing.

9. Interpretation

If differences arise in the interpretation of the present Memorandum of Understanding, the Conference of the Parties and the Council will reach a mutually acceptable solution.

10. Entry into effect

10.1 The present Memorandum of Understanding will come into effect upon approval by the Conference of the Parties and by the Council. Either participant may withdraw this Memorandum of Understanding at any time by written notification addressed to the other. The withdrawal will take effect six months after its notification.

10.2 The withdrawal of this Memorandum of Understanding by either Party to this Memorandum of Understanding shall not affect any projects considered and/or approved in accordance with the Memorandum of Understanding prior to the withdrawal.

III/9. Implementation of Articles 6 and 8 of the Convention

The Conference of the Parties,

Reaffirming the great importance of the development and implementation by all Parties of national strategies, plans and programmes in accordance with Article 6 of the Convention,

Welcoming the work already undertaken by the Parties in implementing Article 6,

Recalling paragraph 5 of decision II/6, in which the Conference of the Parties requested the interim institutional structure operating the financial mechanism to facilitate urgent implementation of Article 6 of the Convention by making available to developing country Parties financial resources for projects in a flexible and expeditious manner,

Recalling also that in decision II/17 the Conference of the Parties decided that the first national reports by Parties would focus in so far as possible on measures taken for the implementation of Article 6,

Reaffirming that Article 8 of the Convention sets out a clear framework of the necessary elements for *in situ* conservation, which should be addressed in a coherent manner,

Noting that the reduction in the number of species and the fragmentation and degradation of ecosystems and habitats call not only for conservation but also for *inter alia* sustainable use and restoration of habitats, including their biological diversity components, together with other measures provided for by Article 8 of the Convention,

Noting the conclusions and recommendations of the United Nations-Norway

Conference on Alien Species, Trondheim, Norway, 1-5 July 1996, and suggesting that Parties may wish to use these results in their implementation of Article 8 (h) of the Convention,

Believing that a central role of the clearing-house mechanism should be the sharing of experiences and dissemination of information relevant to Articles 6 and 8,

Emphasizing that the compilation and dissemination under the Convention of information relevant to the implementation of Articles 6 and 8 should complement and enhance existing efforts, rather than duplicate them,

1. Stresses the need for Parties to ensure the cross-border coordination of their respective strategies, on a bilateral as well as on a regional basis;

2. Urges Parties to include in their national plans or strategies and legislation measures for:

(a) The conservation of biological diversity both in situ and ex situ;

(b) The integration of biological diversity objectives in relevant sectoral policies in order to achieve conservation and sustainable use of biological diversity;

(c) The equitable sharing of benefits arising out of the use of genetic resources;

3. Further urges Parties to submit their first national reports on time;

4. Requests the interim financial mechanism under the Convention to make available to developing country Parties resources to enable them to facilitate urgent implementation of paragraphs 2 and 3 above;

5. Encourages all Parties to set measurable targets in order to achieve biological diversity conservation and sustainable use objectives;

6. Requests Parties to take action to achieve the restoration of habitats, including their biological diversity components;

7. Requests the Executive Secretary to explore ways of enhancing the collection and dissemination to Parties of information on the implementation of Articles 6 and 8 by involving in a more regular and systematic fashion organizations already concerned with the collection and dissemination of such information;

8. Requests the Executive Secretary to prepare a paper for consideration by the next meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, identifying existing conventions and other international agreements relevant to the implementation of the various paragraphs of Article 8;

9. Recommends the development of a thematic approach in the further compilation and dissemination of information on the implementation of Articles 6 and 8 and commends the inclusion of the following work areas within this approach:

(a) Methodologies to evaluate and mitigate threats to biological diversity;

(b) Ways to suppress or mitigate perverse or negative incentives having a deleterious effect on biological diversity;

(c) Alien species; and

(d) Protected areas;

10. Encourages the Scientific Committee on Problems of the Environment and the Invasive Species Specialist Group of the World Conservation Union to continue their efforts to develop a global strategy and action plan to deal with the problem of alien invasive species;

11. Decides that the first national reports referred to in decision II/17 should be submitted no later than 1 January 1998, taking into account decision III/25 of the third meeting of the Conference of the Parties on the date and venue of its next meeting.

III/10. Identification, monitoring and assessment

The Conference of the Parties

Reaffirming the central importance of the implementation of Article 7 in ensuring that the objectives of the Convention are met,

Stressing the fundamental role of taxonomy in identifying the components of biological diversity,

Recognizing the lack of taxonomic capacity in many countries,

Recognizing also the necessity of capacity-building to enable Parties to carry out identification, monitoring and assessment within the remit of the Convention,

Noting the review of methodologies for assessment of biological diversity contained in Annex I of document UNEP/CBD/COP/3/13 and the discussion of indicators contained in Annex II of that document,

1. Urges Parties to identify indicators of biological diversity and to develop innovative methods of implementing Article 7 as a high priority, in particular commending the value of rapid biological diversity assessment approaches as an efficient and cost-effective way of assessing biological diversity and identifying priorities for action, and recognizing also the role of remote sensing as a useful tool for monitoring;

2. Endorses the recommendation II/1 of the Subsidiary Body on Scientific, Technical and Technological Advice concerning indicators,

monitoring and assessment of biological diversity;

3. Endorses the recommendation II/2 of the Subsidiary Body on Scientific, Technical and Technological Advice concerning capacity-building for taxonomy;

4. Recommends that Parties consider a step-by-step approach to the implementation of Article 7, paying attention to the indicative list of categories of important components of biological diversity set out in Annex I of the Convention, beginning with the rapid implementation of Article 7 (a) and the first part of Article 7 (c), concerning identification of important components of biological diversity and the processes and categories of activities which have or are likely to have significant adverse impacts on biological diversity;

5. Stresses, however, that such an approach should not preclude the timely implementation of other Articles of the Convention, particularly Articles 6 and 8, with respect to those components of biological diversity that have been identified;

6. Calls on Parties to cooperate on a voluntary pilot project to demonstrate the use of successful assessment and indicator methodologies;

7. Also calls on Parties to prepare, where appropriate, reports on experiences on the application of assessment methodologies and results from assessments and to disseminate these reports by appropriate mechanisms such as the clearing-house mechanism;

8. Recommends to Parties that they explore ways to make taxonomic information housed in collections world-wide readily available, in particular to countries of origin;

9. Instructs the Subsidiary Body on Scientific, Technical and Technological Advice:

(a) To provide scientific advice and further guidance, through its thematic work on ecosystems, to the fourth meeting of the Conference of the Parties, to assist in the national elaboration of Annex I of the Convention, using as guidance the elaboration of the terms as set out in paragraphs 12-29 of document UNEP/CBD/COP/3/12;

(b) Further to review methodologies for assessment of biological diversity and make recommendations for their application to the fourth meeting of the Conference of the Parties;

10. Requests the institutional structure of the interim financial mechanism of the Convention to provide financial resources to developing countries in order to address the need for capacity-building, including taxonomy, to enable them to develop and carry out an initial assessment for designing, implementing and monitoring programmes in accordance with Article 7, taking into account the special need of small island States.

III/11. Conservation and sustainable use of agricultural biological diversity

The Conference of the Parties,

Recalling resolution 3 of the Nairobi Final Act,

Also recalling decisions II/15 and II/16 of the second meeting of the Conference of the Parties,

Further recalling recommendation II/7 of the second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice related to agricultural biological diversity,

Welcoming the outcome of the fourth International Technical Conference on the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture, held in June 1996 in Leipzig, and taking note of the follow-up process agreed in Leipzig and of the periodic updating of the report on the State of the World's Plant Genetic Resources for Food and Agriculture and the Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture by the Food and Agriculture Organization of the United Nations, as well as the implementation of the Global Plan of Action,

Considering the importance of biological diversity for agriculture and taking note of the interrelationship of agriculture with biological diversity as detailed in the basis for action attached hereto as Annex 1,

Believing that the field of agriculture offers a unique opportunity for the Convention on Biological Diversity to link concerns regarding biological diversity conservation and sharing of benefits arising from the use of genetic resources with the mainstream economy, taking into account the need for a balanced development of the three objectives of the Convention,

Recognizing the close relationship between agriculture and biological and cultural diversity and that the Conference of the Parties has a clear role and mandate to address issues relating to agricultural biological diversity within the framework of the Convention on Biological Diversity,

Further recognizing agricultural biological diversity as a focal area in view of its social and economic relevance and the prospects offered by sustainable agriculture for reducing the negative impacts on biological diversity, enhancing the value of biological diversity and linking conservation efforts with social and economic benefits,

Urging the expeditious provision of funds from appropriate sources necessary for the implementation of this decision,

Recognizing that traditional farming communities and their agricultural practices have made a significant contribution to the conservation and enhancement of biodiversity and that these can make an important contribution to the development of environmentally sound agricultural production systems,

Recognizing also that the inappropriate use of and excessive dependence on agrochemicals has produced substantial negative effects on terrestrial systems, including soil, coastal and aquatic organisms, thus affecting biological diversity in different ecosystems,

Reaffirming the sovereign rights of States over their own genetic resources, including their genetic resources for food and agriculture,

Urging Parties to establish or maintain means to regulate, manage or control the risks associated with the use and release of living modified organisms resulting from biotechnology which are likely to have adverse environmental impacts that could affect the conservation and sustainable use of biological diversity, taking also into account the risks to human health,

Considering that its activities in this field relating to the implementation of Article 6 (b) of the Convention should focus on the interface between agricultural sustainability and environmental issues and should promote the integration of social, economic and environmental objectives and facilitate the development of solutions to problems relating to agricultural biological diversity in the context of the Convention's provisions,

Further considering that the contributions of conservation and sustainable use of agricultural biological diversity to sustainable agriculture should be a key focal area within the context of terrestrial, freshwater and marine biological diversity, to be pursued in collaboration with, and with the cooperation and initiative of, relevant international organizations thus avoiding duplication,

1. Decides to establish a multi-year programme of activities on agricultural biological diversity aiming, first, to promote the positive effects and mitigate the negative impacts of agricultural practices on biological diversity in agro-ecosystems and their interface with other ecosystems; second, to promote the conservation and sustainable use of genetic resources of actual or potential value for food and agriculture; and third, to promote the fair and equitable sharing of benefits arising out of the utilization of genetic resources; and which, in support of the implementation of ongoing or the initiation of new policies, programmes and plans in the field of agrobiodiversity, will have the following components:

(a) The identification and assessment of relevant ongoing activities and existing instruments at the international level;

(b) The identification and assessment of relevant ongoing activities and existing instruments at the national level;

(c) The identification of issues that need to be addressed and relevant knowledge;

(d) The identification of priority issues for further development of the programme;

(e) The identification and implementation of case studies on issues identified;

(f) The sharing of experiences and the transfer of knowledge and technologies;

2. Requests the Executive Secretary to invite the Food and Agriculture Organization of the United Nations, in close collaboration with other relevant United Nations bodies and regional and international organizations, to identify and assess relevant ongoing activities and /...

existing instruments at the international level, choosing among the thematic areas in the indicative list in Annex 2. The results should be reported back on a phased basis to the Conference of the Parties through the Subsidiary Body on Scientific, Technical and Technological Advice;

3. Welcomes the offer by the Food and Agriculture Organization of the United Nations to continue serving countries in implementing the Convention on Biological Diversity in the area of agricultural biological diversity, and, referring to its earlier decisions, underlines the necessity of avoiding any duplication of work with respect to the activities being undertaken by the Food and Agriculture Organization of the United Nations in this programme of work;

4. Requests Parties, as far as possible and as appropriate, to identify and assess relevant ongoing activities and existing instruments at the national level and to report back to the Conference of the Parties;

5. Requests Parties, as far as possible and as appropriate, to identify issues and priorities that need to be addressed at the national level and to report back to the Conference of the Parties;

6. Suggests that, in carrying out the initiatives described in paragraphs 3 and 4 above, Parties consider the thematic areas in the indicative list in Annex 2, as appropriate;

7. Requests the Executive Secretary, in close collaboration with the Food and Agriculture Organization of the United Nations, as appropriate, to report the results, together with advice from the Subsidiary Body on Scientific, Technical and Technological Advice, of the above initiatives as a basis for setting priorities by the Conference of the Parties for further work within this programme of work using as criteria, inter alia:

(a) The relevance of the issue to the objectives of the Convention;

(b) The extent to which work on the issue is not already being undertaken;

8. Requests that the clearing-house mechanism be used to promote and facilitate the development and transfer of technology relevant to the conservation and sustainable use of agricultural biological diversity by facilitating contacts among:

(a) Groups needing solutions to specific problems;

(b) Holders of technologies developed and maintained by many sources;

(c) Technology-transfer brokers;

(d) Enabling agencies which fund technology transfer;

9. Encourages the Parties, in accordance with decision I/2 of the Conference of the Parties, to use and/or study and develop methods and indicators to monitor the impacts of agricultural development projects, including the intensification and extensification of production systems, on

biological diversity and to promote their application;

10. Invites countries to share case-study experiences addressing the conservation and sustainable use of agricultural biological diversity, which, among other ways of sharing information, should be posted through the clearing-house mechanism of the Convention;

11. Encourages interested Parties and international agencies to conduct case studies on the two initial issues identified by the Subsidiary Body on Scientific, Technical and Technological Advice in recommendation II/7, described in Annex 3;

12. Instructs the Subsidiary Body on Scientific, Technical and Technological Advice to coordinate and assess the lessons learned from work on the topics described in Annex 3 and to report back thereon to the Conference of the Parties, as appropriate;

13. Recognizes that the successful implementation of policies aiming at the sustainable use of agrobiodiversity components largely depends on the degree of public awareness and understanding of its basic importance for society, and recommends Parties to establish or enhance mechanisms for information and education, including the use of the clearing-house mechanism, specific to groups of concern at national, regional and international levels;

14. Endorses the conclusions of the relevant sections of the 1995 Commission on Sustainable Development sectoral review of Agenda 21, which, inter alia, recognized the need for an integrated and multidisciplinary approach to the planning, development and management of land resources, and that the achievement of the multiple objectives related to sustainable agriculture and rural development requires a whole system approach that recognizes that it is not possible to focus on agricultural activities alone;

15. Encourages Parties to develop national strategies, programmes and plans which, inter alia:

(a) Identify key components of biological diversity in agricultural production systems responsible for maintaining natural processes and cycles, monitoring and evaluating the effects of different agricultural practices and technologies on those components and encouraging the adoption of repairing practices to attain appropriate levels of biological diversity;

(b) Redirect support measures which run counter to the objectives of the Convention regarding agricultural biodiversity;

(c) Internalize environmental costs;

(d) Implement targeted incentive measures which have positive impacts on agrobiodiversity, in order to enhance sustainable agriculture, in accordance with Article 11 and consistent with Article 22, as well as to undertake impact assessments in order to minimize adverse impacts on agrobiodiversity, in accordance with Article 14;

(e) Encourage the development of technologies and farming practices that not only increase productivity, but also arrest degradation as well as

reclaim, rehabilitate, restore and enhance biological diversity and monitor adverse effects on sustainable agricultural biodiversity. These could include, inter alia, organic farming, integrated pest management, biological control, no-till agriculture, multi-cropping, inter-cropping, crop rotation and agricultural forestry;

(f) Empower their indigenous and local communities and build their capacity for in situ conservation and sustainable use and management of agricultural biological diversity, building on the indigenous knowledge systems;

(g) Encourage ex ante and/or ex post evaluation of impacts on biological diversity from agricultural development projects, to assure the use of best practices to promote the conservation and sustainable use of biological diversity;

(h) Integrate with other plans, programmes and projects relating to the conservation and sustainable use of other terrestrial, freshwater, coastal and marine ecosystems, in accordance with Article 6 (b) of the Convention on Biological Diversity;

(i) Promote partnerships with researchers, extension workers and farmers in research and development programmes for biological diversity conservation and sustainable use of biol ;ical diversity in agriculture. To achieve this, countries should be encouraged to set up and maintain local level forums for farmers, researchers, extension workers and other stakeholders to evolve genuine partnerships;

(j) Promote at national and regional levels adequate and appropriate services to farmers and responsiveness of public research and extension services and development of genuine partnerships;

(k) Promote research into, and development and implementation of, integrated pest management strategies, in particular, methods and practices alternative to the use of agro-chemicals, that maintain biodiversity, enhance agro-ecosystem resilience, maintain soil and water quality and do not affect human health;

(l) Encourage the consideration of introducing necessary measures and/or legislation, as appropriate, to encourage appropriate use of and discourage excessive dependence on agro-chemicals with a view to reducing negative impacts on biological diversity;

(m) Study, use and/or develop, in accordance with decision I/2, methods and indicators to monitor the impacts of agricultural development projects on biological diversity, including intensification and extensification, of production systems on biological diversity, and to promote their application;

(n) Study the positive and negative impacts on ecosystems and biomes of agricultural transformation resulting from intensification or extensification of production systems in their countries;

16. Encourages Parties to develop national strategies, programmes and

plans, which should focus on, inter alia:

(a) The key elements of the Global Plan of Action, such as broadening the genetic base of major crops; increasing the range of genetic diversity available to farmers; strengthening the capacity to develop new crops and varieties that are specifically adapted to local environments; exploring and promoting the use of underutilized crops; and deploying genetic diversity to reduce crop vulnerability;

(b) The development of inventories which consider the status of farm animal genetic resources and measures for their conservation and sustainable utilization;

(c) Micro-organisms of interest for agriculture;

17. Encourages Parties at the appropriate level, with the support of the relevant international and regional organizations, to promote:

(a) The transformation of unsustainable agricultural practices into sustainable production practices adapted to local biotic and abiotic conditions, in conformity with the ecosystem or integrated land use approach;

(b) The use of farming practices that not only increase productivity, but also arrest degradation as well as reclaim, rehabilitate, restore and enhance biological diversity;

(c) Mobilization of farming communities including indigenous and local communities for the development, maintenance and use of their knowledge and practices in the conservation and sustainable use of biological diversity in the agricultural sector with specific reference to gender roles;

18. Notes that the various options for the legal status of a revised International Undertaking on Plant Genetic Resources, which include a voluntary agreement, binding instrument, or protocol to the Convention on Biological Diversity, have not been decided upon by the Food and Agriculture Organization of the United Nations, requests the Food and Agriculture Organization of the United Nations to inform the Conference of the Parties of its deliberations, affirms its willingness to consider a decision by the Conference of the Food and Agriculture Organization of the United Nations that the International Undertaking should take the form of a protocol to this Convention once revised in harmony with this Convention and further requests the Executive Secretary to inform the Commission on Genetic Resources for Food and Agriculture accordingly;

19. Welcomes the contribution that the Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources, as adopted by the fourth International Technical Conference on Plant Genetic Resources, provides to the implementation of the Convention on Biological Diversity in the field of plant genetic resources for food and agriculture and encourages Parties actively to implement the Global Plan of Action, in accordance with their national capacities, and endorses its priorities and policy recommendations; recognizes that several issues require further work in the context of the FAO Global System for the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture, in particular:

financing; the realization of Farmers' Rights as discussed in the Global Plan of Action; as well as terms of technology transfer to developing countries and access and benefit-sharing arrangements, in accordance with relevant provisions of the Convention. In this regard, calls for effective and speedy completion of the revision of the International Undertaking and strengthening of the FAO Global System;

20. Appreciates the importance of the country-based Global Strategy for the Management of Farm Animal Genetic Resources under the Food and Agriculture Organization of the United Nations and strongly supports its further development;

21. Draws the attention of Parties to Article 20.1 of the Convention, in the context of providing, in accordance with their capabilities, financial support and incentives for the conservation and sustainable use of biological diversity important to agriculture in accordance with national plans, priorities and programmes;

22. Draws the attention of international funding agencies to the urgent need to support the conservation and sustainable use of biological diversity important to agriculture and invites these agencies to provide information and feedback in this respect to the Conference of the Parties and in this context, requests the interim financial mechanism to give priority to supporting efforts for the conservation and sustainable use of biological diversity important to agriculture in accordance with this decision;

23. Encourages the United Nations Environment Programme/Food and Agriculture Organization of the United Nations process developed by the Intergovernmental Committee negotiating an international binding instrument for the application of the prior informed consent procedure on hazardous chemical substances, including pesticides;

24. Recalls paragraph 39 (g) from the World Food Summit Plan of Action and encourages the World Trade Organization through its Committee on Trade and Environment, in collaboration with other relevant organizations, to consider developing a better appreciation of the relationship between trade and agricultural biodiversity and, in this consideration, recommends the collaboration with the Convention on Biological Diversity and requests the Executive Secretary to convey this request to the World Trade Organization.

Annex 1

BASIS FOR ACTION

A. Impact of biological diversity on agriculture

1. Biological diversity has enabled farming systems to evolve since agriculture was first developed some 12,000 years ago, and an understanding of the dynamic evolutionary and environmental processes which shape and influence agricultural biodiversity is fundamental to improving the sustainable management and conservation of agricultural ecosystems today. In recent years, as the world's population continues to grow and agricultural production must meet the rising demand for food, agricultural expansion into

forests and marginal lands, combined with overgrazing and urban and industrial growth, has substantially reduced levels of biological diversity over significant areas. Current patterns of agricultural land use based on limited numbers of species and varieties have also diminished the biological diversity within agricultural ecosystems and are undermining the long-term sustainability of agricultural production itself.

2. Agricultural intensification has the potential to balance the world's need for increasing food supplies while reducing pressures to expand agricultural areas still further, but it is also harmful when accompanied by excessive dependence on agrochemicals and external energy and water inputs. Agro-ecological forms of intensification can, however, blend improved knowledge about agricultural ecosystems, intercropping, uses of diverse species, integrated pest management and the efficient use of resources. Beneficial mixes of land use also raise the overall level of biodiversity in agricultural landscapes. These approaches currently represent a small but growing portion of intensification efforts. Meeting the imperative of increasing agricultural production in such sustainable ways while conserving and prudently using biological diversity is the major challenge which we must urgently address.

3. The importance of agrobiodiversity is of widespread and complex significance to society, encompassing socio-cultural, economic and environmental elements. It is essential to food security and poverty alleviation and much of the knowledge about agrobiodiversity is maintained by farmers themselves, many of whom are women. All domesticated crops and animals result from human management of biological diversity, which is constantly responding to new challenges to maintain and increase productivity. Biological diversity itself presents opportunities for naturally controlling pests and reducing the use of pesticides, while maintaining high yields, and a large proportion of crops depend on insect pollinators for good yields. Landraces and wild species of animals and plants are the essential source of genetic variability for responding to biotic and abiotic stress through genetic adaptation.

4. The biological diversity of the soil is responsible for nutrient circulation and fertility within agricultural ecosystems. Diversified agricultural production provides protection against uncertainties in the market, especially for less capitalized producers, and increases the opportunities to add value and exploit new markets. Farmers all over the world have also managed a variety of wild species and habitats which benefit the sustainability of both agricultural and natural ecosystems.

5. At the more fundamental level, the living organisms which constitute agricultural biodiversity play an important role in the resilience of all natural, life-support processes. They are essential agents for, inter alia, nitrogen, carbon, energy and water cycles. Moreover, the species composition and their relationships will affect the functioning and yields of agricultural ecosystems themselves. A diverse environment also offers a shield for agricultural ecosystems against perturbations, natural or man-made, contributing to their resilience and that of their surrounding ecosystems.

6. Agricultural production utilizes natural resources of diverse

ecosystems worldwide and is the economic activity most representative as far as extensive land-use is concerned - nearly one third of the world's land area is used for food production. Serious adverse effects may occur on biological diversity at on and off-farm levels. Most of the world's biological diversity on land is harboured by areas under exploitation by humans; consequently, conserving biological diversity implies improving the ways in which agricultural ecosystems are managed.

B. Impacts of agriculture on biodiversity

7. Different agricultural practices lead to diverse impacts upon biological diversity. These impacts occur at the ecosystem, species and genetic levels.

(a) Unsustainable agricultural practices have caused negative impacts on biological diversity, world-wide, at all levels - ecosystem, species and genetic - on both natural and domestic diversity. They have resulted in the large-scale degradation of agrobiodiversity and habitats through the destruction of biotic and abiotic resources, as well as by threatening the natural resource base to agriculture and through socio-economic problems created by destruction of the local resource base. Inappropriate reliance on monoculture, over-mechanization, and misuse of agricultural chemicals diminish the diversity of fauna, flora and micro-organisms, including beneficial organisms. These practices normally lead to a simplification of the components of the environment and to unstable production systems. Expansion of agriculture to frontier areas, including forests, savannahs, wetlands, mountains, and arid lands, combined with overgrazing, and inadequate crop management and pest control strategies contribute to degradation of biological diversity, as well as to the loss of the cultural diversity of traditional communities.

(b) Agricultural practices have, however, also facilitated enhanced biodiversity as a result of both traditional and modern sustainable farming practices. Agricultural ecosystems can provide habitats for plants, birds and other animals. Many agriculturalists have made strong efforts to preserve biological diversity important to agriculture, both in situ and ex situ. Currently, progress is being made in many regions of the world in implementing biological diversity-friendly agricultural practices in soil conservation, withdrawing production from marginal areas, mastering chemical and nutrient runoff, and breeding crop varieties which are genetically resistant to diseases, pests and abiotic stresses.

Annex 2

INDICATIVE LIST OF THEMATIC AREAS

1. Land resources

(i) soil erosion control;
(ii) sustainable tillage;
(iii) sustainable farming or cropping;
(iv) marginal land use;
(v) stock of agricultural land including pressures of urbanization;
(vi) integrated land and resource management;
(vii) restoration of degraded landscapes.

2. Water resources

(i) precipitation;
(ii) irrigation management;
(iii) sustainable use;
(iv) water quality;
(v) farm waste.

3. Plant, animal and microbial genetic resources

(i) in situ;
(ii) ex situ;
(iii) role of botanical gardens and zoos vis à vis agricultural biological diversity;
(iv) sustainable use.

4. Wildlife

(i) habitats;
(ii) populations (e.g., pollinators, nematodes, soil micro-organisms);
(iii) biocontrol organisms;
(iv) border habitats for natural organisms beneficial to agriculture.

5. Air and climate

(i) greenhouse gas emissions;
(ii) temperature and precipitation variability.

6. Farm inputs

(i) sustainable/water use efficiency;
(ii) energy use efficiency;
(iii) input costs;
(iv) pesticide use involving integrated pest management;
(v) nutrient balance including symbiotic soil micro-organisms.

7. Wild sources of food

(i) wild relatives of domesticated species;
(ii) other wild species.

8. Traditional knowledge

9. Marketing conditions for agricultural products

The relationship between biological diversity-friendly agricultural practices and market forces.

10. Land-use pressures

Examining land-use pressures which make it more difficult to maintain biodiversity-friendly practices, such as lack of services for rural people, and the artificial maintenance of some land far below productive capacity;

11. Agroforestry

Annex 3

INITIAL ISSUES FOR CONDUCTING CASE STUDIES

1. Pollinators, including consideration of the monitoring of the loss of pollinators worldwide; the identification of the specific causes of pollinator decline; the estimation of the economic cost associated with reduced pollination of crops; the identification and promotion of best practices and technologies for more sustainable agriculture; and the identification and encouragement of the adoption of conservation practices to maintain pollinators or to promote their re-establishment.

2. Soil micro-organisms in agriculture, including consideration of: the measurement and monitoring of the worldwide loss of symbiotic soil micro-organisms, in particular nitrogen-fixing bacteria and mycorrhizal fungi; the identification and promotion of the transfer of technologies for the detection of symbiotic soil micro-organisms and their use to enhance nitrogen fixation and phosphorous absorption; the estimation of the potential and actual economic gain associated with reduced use of nitrogen and phosphorus chemical fertilization of crops with the enhanced use and conservation of symbiotic soil micro-organisms; the identification and promotion of best practices for more sustainable agriculture; and the identification and promotion of conservation measures to conserve symbiotic soil micro-organisms or to promote their re-establishment.

III/12. Programme of work for terrestrial biological diversity: forest biological diversity

The Conference of the Parties,

Affirming that some forests can play a crucial role in conserving biological diversity, and recognizing that some forests are becoming degraded and their biological diversity lost,

Recognizing that issues related to forests must be dealt with in a comprehensive and holistic manner, including environmental, economic and social values and issues,

Affirming also that the Convention has a clear role and mandate in issues of forest biological diversity,

Noting that the conservation and sustainable use of forests cannot be isolated from the conservation and sustainable use of biological diversity in general,

Noting also that the conservation and sustainable use of biological diversity must be an integral part of sustainable forest management practices,

Noting further that the implementation of forest conservation and sustainable use policies depends, inter alia, on the level of public awareness and policies outside the forest sector,

Recognizing the vital role played by forest ecosystems for many indigenous and local communities,

Reaffirming the statement on biological diversity and forests contained in the annex to decision II/9 transmitted from the Convention on Biological Diversity to the Intergovernmental Panel on Forests,

1. Welcomes the comprehensive work taking place under the Intergovernmental Panel on Forests and acknowledges the cooperation between the Intergovernmental Panel on Forests and the Convention on Biological Diversity;

2. Endorses recommendation II/8 of the Subsidiary Body on Scientific, Technical and Technological Advice as contained in the annex to this decision;

3. Affirms that the Convention on Biological Diversity will be working in a complementary way with the Intergovernmental Panel on Forests and other forest-related forums on forests and biological diversity, with a view to avoiding duplication of effort;

4. Decides to invite its President to transmit this decision on forests and its annex to the Intergovernmental Panel on Forests at its fourth meeting;

5. Requests the Executive Secretary to explore ways and means to cooperate with the Intergovernmental Panel on Forests or any successor process on matters relating to biological diversity and forests including inter-sessional work, with a view to developing common priorities for further consideration. In this process the Executive Secretary should take account of the research and technical priorities listed in recommendation II/8 of the Subsidiary Body on Scientific, Technical and Technological Advice;

6. Further requests the Executive Secretary to develop a focused work programme for forest biological diversity. Optional elements for such a work programme should initially focus on research, cooperation and the development of technologies necessary for the conservation and sustainable use of forest biological diversity. In addition the programme should:

(a) Take account of the outcome of the Intergovernmental Panel on

Forests and other forest-related forums;

(b) Facilitate the application and integration of the objectives of the Convention on Biological Diversity in the sustainable management of forests at the national, regional and global levels, in accordance with the ecosystem approach;

(c) Complement and not duplicate the work of relevant international forums, notably the Intergovernmental Panel on Forests;

(d) Complement existing national, regional or international criteria and indicator frameworks for sustainable forest management;

(e) Incorporate traditional systems of forest biological diversity conservation;

7. Requests the Executive Secretary in developing this draft work programme, to work closely with the Intergovernmental Panel on Forests and relevant institutions, and also to take full account of the decisions of the United Nations Commission on Sustainable Development, noting in particular the report on institutional aspects contained in the programme element V.1 of the Intergovernmental Panel on Forests mandate resulting from the Swiss/Peruvian initiative on forests held in support of the Intergovernmental Panel on Forests, and encourages all Parties actively to assist the Executive Secretary in carrying out this work;

8. Requests the Executive Secretary to report on progress in the draft programme of work to the next meeting of the Conference of the Parties for its discussion and consideration;

9. Requests the Subsidiary Body on Scientific, Technical and Technological Advice to contribute advice on this draft programme of work and report back to the fourth meeting of the Conference of the Parties, and also requests the Subsidiary Body on Scientific, Technical and Technological Advice, in providing its advice, to bear in mind for possible future action, inter alia, the remaining forest research priority items listed in its recommendation II/8;

10. Directs the Subsidiary Body on Scientific, Technical and Technological Advice, in the light of the proposed work programme and taking account of the research and technical priorities already identified in its recommendation II/8, to advance its scientific, technical, and technological consideration of forest biological diversity by initially focusing on the synthesis and development of scientific information in the following research areas:

(a) Methodologies necessary to advance the elaboration and implementation of criteria and indicators for the conservation of biological diversity as part of sustainable forest management;

(b) Scientific analysis of the ways in which human activities, in particular forest management practices, influence biological diversity and assessment of ways to minimize or mitigate negative influences.

Annex

INPUT TO THE INTERGOVERNMENTAL PANEL ON FORESTS

The Conference of the Parties of the Convention on Biological Diversity wishes to transmit to the fourth session of the Intergovernmental Panel on Forests (IPF), for its consideration, the decision of the third meeting of the Conference of the Parties on biological diversity and forests, as well as the related recommendation II/8 of Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA). The decision by the third meeting of the Conference of the Parties requested the Executive Secretary to develop a draft work programme for forest biological diversity and gives guidance to SBSTTA on research priorities. These documents are presented as contributions to the IPF deliberations and in the spirit of continuing our positive dialogue and cooperation.

Related recommendations

(a) Biodiversity considerations should be integrated fully into the IPF recommendations and proposals for action. IPF should also consider ways to deal with identified gaps in forest biodiversity knowledge.

(b) In relation to the programme element I.1 of IPF on national forest and land use plans, strategies for sustainable forest management should be based on an ecosystem approach, which will integrate conservation measures (e.g., protected areas) and sustainable use of biological diversity. Methodologies need to be developed to assist countries in identifying sites of high interest for biodiversity. These recommendations should take into account national financial circumstances, laws and regulations.

(c) In relation to the programme element 3.2 of IPF dealing with criteria and indicators, conservation of biological diversity and the sustainable use of its components, as well as the maintenance of forest quality, as part of sustainable forest management, should be substantively included in the deliberations of IPF.

The following research and technological priorities were also identified:

(a) Building the scientific foundation and methodologies necessary to advance the elaboration and implementation of criteria and indicators for forest quality and biodiversity conservation as part of sustainable forest management;

(b) Analysing the role of biodiversity in forest ecosystem functioning;

(c) Analysing measures for mitigating the underlying causes of biodiversity loss;

(d) Advancing scientific and technical approaches to (i) rehabilitating degraded and deforested ecosystems and (ii) enriching biodiversity in forest plantations;

(e) Identifying gaps in knowledge in the areas of fragmentation and population viability, to include mitigation options such as corridors and buffer zones;

(f) Assessing ecological landscape models, the integration of protected areas in the ecosystem approach to sustainable forest management and the representativeness and adequacy of protected areas networks;

(g) Analysing scientifically the ways in which human activities, in particular forest management practices, influence biodiversity and assessing ways to minimize or mitigate negative influences; and

(h) Developing assessment and evaluation methodologies for the multiple benefits derived from forest biodiversity.

III/13. Future programme of work for terrestrial biological diversity: dryland, mountain and inland water ecosystems

The Conference of the Parties,

Taking note of the relevant parts of the report of the third session of the Commission on Sustainable Development, on the review of sectoral cluster: Land, desertification, forests and biodiversity (chapters 10-15 of Agenda 21), as contained in document UNEP/CBD/COP/3/Inf.45,

Recognizing the need for an integrated approach to the planning and management of land resources,

Reaffirming the central importance of biological diversity to sustainable development in drylands and montane areas as well as in other terrestrial ecosystems,

Recalling decision II/18 of the Conference of the Parties, in which it decided that it may consider at its fourth meeting in 1997, inter alia, an assessment of the status and trends of the biological diversity of inland water ecosystems and the identification of options for conservation and sustainable use,

Concerned that activities carried out under the Convention should not duplicate existing efforts, but rather should complement them,

1. Endorses paragraph 5 of recommendation II/8 of the Subsidiary Body on Scientific, Technical and Technological Advice and thereby requests the Executive Secretary:

(a) To explore ways and means to cooperate with the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification particularly in Africa on matters relating to biological diversity and drylands, with a view to identifying common priorities;

(b) To contact those agencies and networks working on sustainable mountain development with a view to examining forms of cooperation on matters relating to biological diversity and mountains;

(c) To make the results of these activities available to the third meeting of the Subsidiary Body on Scientific, Technical and Technological Advice;

2. Requests the Subsidiary Body on Scientific, Technical and Technological Advice to provide the fourth meeting of the Conference of the Parties with scientific, technical and technological advice on the status and trends of biological diversity in inland water ecosystems and the identification of options for conservation and sustainable use.

III/14. Implementation of Article 8 (j)

The Conference of the Parties,

Reaffirming the spirit and the intent of the Convention as expressed in Article 8 (j),

Recognizing that Article 8 (j) is closely linked with other articles of the Convention, in particular Articles 10 (c), 17.2 and 18.4,

Taking note of relevant activities within the United Nations system, in particular under the Commission on Human Rights, and of relevant international instruments, such as Convention 169 of the International Labour Organization,

Stressing the need for Contracting Parties to implement Article 8 (j) and related articles and to initiate a process toward this end,

Realizing the importance of biological diversity for indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity,

Emphasizing the need for dialogue with representatives of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity within the framework of the Convention,

Recognizing rights under national legislation of indigenous and local communities to control access to their knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity,

Reaffirming the dynamic nature of traditional knowledge, innovations and practices,

Recognizing that traditional knowledge should be given the same respect as any other form of knowledge in the implementation of the Convention,

Emphasizing the need for Parties to initiate projects on capacity-building with indigenous and local communities to address concerns in the conservation and sustainable use of biological diversity and of equitable sharing of the benefits arising from the utilization of their knowledge, innovations and practices,

Recognizing that issues related to traditional knowledge, innovations

and practices go beyond the scope of the Convention,

Expressing its sincere appreciation for the valuable contribution made by the participating representatives of the indigenous and local communities at the third meeting of the Conference of the Parties,

1. Requests those Parties that have not yet done so to develop national legislation and corresponding strategies for the implementation of Article 8 (j) in consultation particularly with representatives of their indigenous and local communities;

2. Urges Parties to supply information about the implementation of Article 8 (j) and related articles, for example, national legislation and administrative and incentive measures, and to include such information in national reports;

3. Invites Governments, international agencies, research institutions, representatives of indigenous and local communities and non-governmental organizations to submit case studies to the Executive Secretary in time for consideration by the workshop referred to in paragraph 9 below on measures taken to develop and implement the Convention's provisions relating to indigenous and local communities. These studies could highlight key areas of discussion and help in considering the implementation of Article 8 (j) and related articles, including, inter alia, interactions between traditional and other forms of knowledge relating to conservation and sustainable use of biological diversity; the influence of current laws and policies on knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity; and incentive measures;

4. Requests the Executive Secretary to remain informed as to relevant international processes and bodies, including, inter alia, those under the auspices of the Commission on Human Rights and the Commission on Sustainable Development, Convention 169 of the International Labour Organization, the World Intellectual Property Organization, the World Bank, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Social and Cultural Organization, and the World Trade Organization, and to provide periodic reports related to Article 8 (j) and related articles to the Conference of Parties;

5. Requests the interim financial mechanism to examine the support of capacity-building projects for indigenous and local communities embodying traditional lifestyles related to the preservation and maintenance of their knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity with their prior informed consent and their participation;

6. Recommends that the indigenous knowledge post in the Secretariat should be filled as soon as possible;

7. Decides that an intersessional process should be established to advance further work on the implementation of Article 8 (j) and related provisions with a view to producing a report for consideration at the fourth meeting of the Conference of the Parties;

8. Decides that activities as part of the intersessional process referred to in paragraph 7 should include representation by Governments, indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biodiversity, and other relevant bodies;

9. Requests the Executive Secretary to arrange, as part of the intersessional process referred to in paragraph 7, a five-day workshop before the fourth meeting of the Conference of the Parties according to the terms of reference in the Annex;

10. Further requests the Executive Secretary to produce, in support of the intersessional process referred to in paragraph 7, a background document containing the following:

(a) The consideration of the linkages between Article 8 (j) and related issues including, inter alia, technology transfer, access to genetic resources, ownership, intellectual property rights, alternative systems of protection of knowledge, innovations and practices, incentives and Articles 6 and 7 and the remainder of Article 8;

(b) The elaboration of concepts of key terms of Article 8 (j) and related provisions such as Articles 10 (c), 17.2 and 18.4;

(c) A survey of the activities undertaken by relevant organizations and their possible contribution to Article 8 (j) and related articles;

11. Further requests the Executive Secretary to invite representatives of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biodiversity to provide input to the meeting;

12. Calls upon Parties to make additional voluntary contributions to help fund the workshop.

Annex

1. The workshop would seek:

(a) To identify the extent to which the various organizations, individually or collectively, could address interests in Article 8 (j), such as guidance to Governments on implementation;

(b) To identify any gaps which would help set future priorities of the Conference of the Parties;

(c) To consider the background document prepared by the Executive Secretary according to operative paragraph 9 to the present decision;

(d) To consider the input provided by the indigenous and local communities embodying traditional lifestyles according to paragraph 10 to the present decision;

(e) To consider the information provided by the Parties on national implementation under Article 8 (j) and related articles and seek to draw conclusions which will be of assistance in an assessment of priorities for future work by Parties and by the Conference of the Parties relevant to Article 8 (j) and related articles;

(f) To provide advice to the Conference of the Parties on the possibility of developing a workplan on Article 8 (j) and related articles including the modalities for such a workplan;

(g) To examine the need to establish an open-ended intersessional working group or a subsidiary body to address the role of traditional knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity.

2. In organizing the workshop,

(a) The Executive Secretary will consult with the Centre for Human Rights and other relevant bodies on organizational considerations in sessions of the United Nations Working Group on Indigenous Populations in order to inform the process of organizing this workshop;

(b) The Parties shall, as far as possible and as appropriate, promote consultations among indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biodiversity in order for them to choose their representatives to the workshop;

(c) A set number of funded participants will be determined according to the amount of voluntary contributions received and will be allocated taking into account regional and gender representations;

(d) A core figure of US$ 350,000 will be allocated in the budget of the Convention on Biological Diversity to cover the administrative costs of the workshop;

(e) Consideration could be given to holding it back-to-back with the third meeting of the Subsidiary Body on Scientific, Technical and Technological Advice or at a venue offered by a voluntary host.

III/15. Access to genetic resources

The Conference of the Parties,

Recognizing the importance of the implementation of Article 15 with all of its provisions,

Noting that the implementation of Article 15 is closely linked to that of other Articles, such as 8 (j), 11, 16.2, 16.5, 17.2, 19.1 and 19.2;

Taking note of the importance of national and regional efforts, as set out in its decision II/11,

Recalling the support expressed in decision II/15 for the harmonization of the International Undertaking on Plant Genetic Resources for Food and Agriculture with the Convention on Biological Diversity, and noting the linkages of Article 15 with the further development and implementation of the work by the Food and Agriculture Organization of the United Nations on the Global System,

Recognizing that there is a variety of approaches to managing access to genetic resources based on their diversity and other considerations,

Recalling decision II/18, that placed the distribution of the benefits from technology, including biotechnology, on the agenda of the fourth meeting of the Conference of the Parties,

1. Urges Governments, regional economic integration organizations and other international, regional and national competent organizations to send to the Secretariat, five months before the fourth meeting of the Conference of the Parties, information on:

(a) National, regional, and sectoral legislative, administrative and policy measures and guidelines for activities covered by Article 15, and in particular, on access and benefit-sharing, both adopted and under development, including information on their implementation;

(b) National participatory processes for the activities covered by Article 15, and in particular, ways by which access and benefit-sharing measures and guidelines, including related institutional arrangements, are developed and implemented;

(c) As appropriate, research programmes on genetic resources;

2. Requests the Executive Secretary, in time for the fourth meeting of the Conference of the Parties:

(a) To prepare a note based on information provided in response to paragraph 1, further summarizing legislative, administrative and policy measures, including guidelines and regional and sectoral measures for the activities covered by Article 15, and in particular on access and benefit-sharing, both under development and adopted. The note should include a summary of the scope of the genetic resources included and being considered; any national and regional interpretations of key terms; the elements included in access measures and consideration of the process by which such measures are prepared and implemented, including interim measures; and relevant national experiences in the development and implementation of such measures, including, as available, case studies;

(b) To disseminate this information, including through the clearing-house mechanism;

3. Urges Governments, regional economic integration organizations, the interim financial mechanism, and competent international, regional and national organizations to support and implement human and institutional capacity-building programmes for Governments, non-governmental organizations and local and indigenous communities, as appropriate, to promote the

successful development and implementation of legislative, administrative and policy measures and guidelines on access, including scientific, technical, business, legal and management skills and capacities;

4. Invites Governments, regional economic integration organizations and competent international, regional and national organizations to conduct analyses of ongoing experiences of legislative, administrative and policy measures and guidelines on access, including regional efforts and initiatives, and to disseminate these widely to assist Parties and stakeholders involved in developing and implementing measures and guidelines on access;

5. Encourages Governments and regional economic integration organizations to explore and develop, in collaboration with relevant stakeholders, guidelines and practices to ensure mutual benefits to providers and users of access measures and to implement them effectively at the national, regional or international level, as appropriate;

6. Encourages Governments and regional economic integration organizations to identify and communicate to the Secretariat competent national authorities responsible for granting access to genetic resources and/or competent national authorities to provide information on the granting of access to genetic resources;

7. Urges Governments and regional economic integration organizations to bring to a rapid conclusion the negotiation for the adaptation of the International Undertaking on Plant Genetic Resources for Food and Agriculture, in harmony with the Convention on Biological Diversity, in particular, providing solutions to access to ex situ collections not acquired in accordance with the Convention;

8. Requests the Executive Secretary to cooperate closely with the World Trade Organization through the Committee on Trade and Environment to explore the extent to which there may be linkages between Article 15 and relevant articles of the Agreement on Trade-related Aspects of Intellectual Property Rights;

9. Urges the Executive Secretary to coordinate closely with the Food and Agriculture Organization of the United Nations, United Nations Conference on Trade and Development and other relevant organizations working on access to genetic resources to ensure complementary efforts.

III/16. Ways to promote and facilitate access to and transfer and development of technology, as envisaged in Articles 16 and 8 of the Convention

The Conference of the Parties

Recalling the provisions of the Convention as contained in paragraphs 16.1 and 16.2,

Taking note of document UNEP/CBD/COP/3/21 on promoting and facilitating access to and transfer and development of technology,

1. Takes note of decision II/4 of the second meeting of the Conference of the Parties, and recommendation II/3 of the second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice;

2. Notes also that the issue of technology will be dealt with at its fourth meeting inter alia in the context of agenda item 7.4 on consideration of matters related to benefit-sharing, and specifically agenda item 7.4.1: Consideration of measures to promote and advance the distribution of benefits from biotechnology in accordance with Article 19 and agenda item 7.4.2: Consideration of benefit-sharing in the light of the present decision;

3. Endorses the recommendation II/3 of the second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, and requests the third meeting of the Subsidiary Body on Scientific, Technical and Technological Advice to conduct its work on technology transfer within sectoral themes related to the priority issues under its programme of work, as set out in recommendation II/12;

4. Emphasizes the importance of technology transfer in the achievement of each of the three objectives of the Convention.

III/17. Intellectual property rights

The Conference of the Parties,

Recognizing that intellectual property rights are relevant to and may have implications for the implementation of the Convention and the achievement of its objectives,

Noting that intellectual property rights are the focus of other international agreements and organizations,

Recalling Article 16, paragraph 5, of the Convention,

Recognizing the importance of implementing intellectual property rights-related provisions of the Convention on Biological Diversity and of international agreements relating to intellectual property rights in a mutually supportive way,

Recalling decision II/12 of the second meeting of the Conference of the Parties,

1. Encourages Governments, and relevant international and regional organizations, to conduct and communicate to the Executive Secretary, for dissemination through means such as the clearing-house mechanism, case studies of the impacts of intellectual property rights on the achievement of the Convention's objectives, including relationships between intellectual property rights and the knowledge, practices and innovations of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity. Such studies could:

(a) Take into account the information and options for future work contained in the preliminary study prepared by the Executive Secretary,

contained in document UNEP/CBD/COP/3/22;

(b) Take into consideration existing and potential interrelationships between intellectual property rights and other aspects of the Convention's implementation, including, for example, implementation of Articles 8 (j), 15 and 16;

(c) Involve, through consultation or cooperation, relevant international organizations, as well as relevant regional and national bodies, stakeholders, and others with relevant expertise, as appropriate;

(d) Consider the role and the potential of existing intellectual property rights systems in achieving the objectives of the Convention, including, inter alia, in facilitating technology transfer and in arrangements by which interested parties including indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and countries may determine access to and share equitably the benefits of genetic resources or knowledge, innovations and practices;

(e) Consider the development of intellectual property rights, such as sui generis systems/approaches, or alternative forms of protection that could promote achievement of the Convention's objectives, consistent with the Parties' international obligations;

(f) Reflect the importance of coordinating efficiently with work undertaken pursuant to other elements of the work programme of the Conference of the Parties and work programmes of other relevant organizations;

2. Notes that the possible establishment of a new international intellectual property rights regime for databases could have implications for scientific and technical cooperation related to conservation and sustainable use of biological diversity, and calls for an open and transparent evaluation of these implications;

3. Requests the Executive Secretary to contact relevant international organizations, particularly the World Intellectual Property Organization, to invite them to take into account in their development cooperation programmes, where appropriate, the need to build capacity to achieve the objectives of the Convention on Biological Diversity as related to intellectual property rights;

4. Requests the Executive Secretary to transmit to the Secretariat of the World Trade Organization, for use by appropriate World Trade Organization bodies, decisions of the third meeting of the Conference of the Parties, as well as the documents placed before the third meeting of the Conference of the Parties, and to endeavour to undertake further cooperation and consultation with the World Trade Organization Secretariat, as appropriate. The documents shall be accompanied by the note from the Conference of the Parties included as the annex to this decision;

5. Welcomes the decision of the Committee on Trade and Environment of the World Trade Organization to de-restrict and transmit documents to the Executive Secretary relating to its work, and invites the Committee on Trade

and Environment to transmit future relevant documents to the Executive Secretary as they are produced;

6. Requests the Executive Secretary to apply for observer status in the Committee on Trade and Environment of the World Trade Organization, for the purpose of representing the Convention on Biological Diversity in meetings whose agendas have a relationship with the Convention;

7. Notes the potential mutual benefits of exchanging information related to Article 16 of the Convention on Biological Diversity and the laws and regulations received by the Council on Trade-related Aspects of Intellectual Property Rights pursuant to the notification requirement of Article 63 of the Agreement on Trade-Related Aspects of Intellectual Property Rights;

8. Recognizes that further work is required to help develop a common appreciation of the relationship between intellectual property rights and the relevant provisions of the Agreement on Trade-related Aspects of Intellectual Property Rights and the Convention on Biological Diversity, in particular on issues relating to technology transfer and conservation and sustainable use of biological diversity and the fair and equitable sharing of benefits arising out of the use of genetic resources, including the protection of knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity.

Annex

The Convention on Biological Diversity and the Agreement on Trade-related Aspects of Intellectual Property Rights

The Conference of the Parties hereby transmits to the Secretariat of the World Trade Organization, for use by appropriate bodies of the World Trade Organization, the decisions of the third meeting of the Conference of the Parties, as well as the documents placed before the third meeting of the Conference of the Parties. In particular, attention is drawn to document UNEP/CBD/COP/3/22, entitled "The impact of intellectual property rights systems on the conservation and sustainable use of biological diversity and on the equitable sharing of benefits from its use", and document UNEP/CBD/COP/3/23, entitled "The Convention on Biological Diversity and the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPs): Relationships and synergies". These documents were prepared for the consideration of the Conference of the Parties and their inclusion does not imply full endorsement by the Conference of the Parties. They are offered as contributions to what is hoped will be a continuing process of consultation and cooperation, aimed at promoting the harmonious implementation of the two agreements.

III/18. Incentive measures

The Conference of the Parties,

Affirming that the implementation of incentive measures, in a broad social, cultural and economic context, is of central importance to the

realization of the three objectives of the Convention,

Recalling that economic and social development and poverty eradication are the first and overriding priorities of developing countries,

Recognizing that incentive measures are country-specific and need to take into account varying legal, political, economic and social conditions,

Noting that local and indigenous communities and the private sector have an important role in the design and implementation of incentive measures,

Taking note of document UNEP/CBD/COP/3/24,

1. Endorses recommendation II/9 of the Subsidiary Body on Scientific, Technical and Technological Advice;

2. Resolves that incentive measures shall be included as appropriate on the agenda of the Conference of the Parties and be integrated into the sectoral and thematic items under the medium-term programme of work of the Conference of the Parties;

3. Encourages Parties to review their existing legislation and economic policies, to identify and promote incentive for the conservation and sustainable use of components of biological diversity, stressing the importance of taking appropriate action on incentives that threaten biological diversity;

4. Encourages Parties to ensure adequate incorporation of the market and non-market values of biological diversity into plans, policies and programmes and other relevant areas, inter alia, national accounting systems and investment strategies;

5. Encourages Parties to develop training and capacity-building programmes to implement incentive measures and promote private-sector initiatives in this regard;

6. Encourages Parties to incorporate biological diversity considerations into impact assessments, consistent with Article 14 of the Convention, as a step in the design and implementation of incentive measures;

7. Invites Parties to share experiences on incentive measures and make relevant case studies available to the Secretariat, and requests the Executive Secretary to facilitate the exchange of information on incentive measures, including case studies, amongst Parties, through appropriate means such as the clearing-house mechanism and regional workshops;

8. Requests the Executive Secretary to provide an initial background document for consideration by the Conference of the Parties at its fourth meeting, providing guidance to the Parties on the design and implementation of incentive measures;

9. Requests the Executive Secretary to take into consideration relevant work under way in other forums, such as United Nations Conference on

Trade and Development and the Organisation for Economic Cooperation and Development;

10. Requests the Subsidiary Body on Scientific, Technical and Technological Advice, as appropriate, to provide in its recommendations to the Conference of the Parties scientific, technical and technological advice on the implementation of Article 11 in relevant thematic areas.

III/19. Special session of the General Assembly to review implementation of Agenda 21

The Conference of the Parties,

Recalling the provisions of the Convention on Biological Diversity and the relevant chapters of Agenda 21,

Recalling General Assembly resolution 50/113, which invited the Conference of the Parties to the Convention on Biological Diversity to provide inputs to the special session of the General Assembly to review progress in implementing Agenda 21,

Recognizing the importance of the special session of the General Assembly in 1997 to review progress made to date in the implementation of Agenda 21,

Mindful of the role of the Convention on Biological Diversity in promoting sustainable development, and reaffirming its commitment to the three objectives of the Convention,

1. Requests the President of the Conference of the Parties to transmit the annexed statement from the Conference of the Parties to the special session of the General Assembly in 1997;

2. Also requests the Executive Secretary to provide to the special session of the General Assembly and to the preparatory process such information related to activities and developments under the Convention as may be required, including the reports of the meetings of the Conference of the Parties.

Annex

STATEMENT FROM THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY TO THE SPECIAL SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY

1. The Conference of the Parties to the Convention on Biological Diversity takes this opportunity to reaffirm its commitment to the three objectives of the Convention, namely the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of benefits arising out of the utilization of genetic resources.

A. The Convention on Biological Diversity and Agenda 21

2. The Conference of the Parties emphasizes the significance of the Convention, and activities carried out in implementation of the Convention, to the achievement of goals set out in many of the chapters of Agenda 21. Sustainable development cannot be achieved without the sustainable use of the world's biological diversity. The Convention provides a set of legally binding commitments and is an important tool for translating the principles of the Rio Declaration on Environment and Development and Agenda 21 into concrete actions.

3. The Convention on Biological Diversity entered into force on 29 December 1993. The Conference of the Parties, at its first three meetings, adopted a number of decisions aimed at elaborating and implementing the provisions of the Convention. The Convention adopts an ecosystem approach, both in its provisions and in its programme of work. The integration of biological diversity considerations into relevant sectoral or cross-sectoral plans, programmes and policies is central to the Convention. In addition, the Conference of the Parties attaches particular importance to cooperation with other biological diversity-related conventions, institutions and processes.

4. The Conference of the Parties recognizes that biological diversity is a cross-cutting issue. The provisions of the Convention are of the utmost relevance to a number of the issues reviewed by the Commission on Sustainable Development to date, including: the planning and management of land resources; combating deforestation; managing fragile ecosystems; promoting sustainable agriculture and rural development; and consideration of marine and coastal biological diversity.

5. The provisions of the Convention are also relevant to the cross-sectoral issues reviewed by the Commission on Sustainable Development. In its statement to the third session of the Commission on Sustainable Development, the Conference of the Parties noted in particular the relevance of the following cross-sectoral issues on the agenda of the third session of the Commission on Sustainable Development: combating poverty; demographic dynamics and sustainability; integrating environment and development in decision-making; environmentally sound management of biotechnology; roles of major groups; financial resources and mechanisms; transfer of technology; science for sustainable development; and information for decision-making.

B. The Convention and chapter 15 of Agenda 21

6. The Convention is the principal global instrument relevant to achieving the goals set out in chapter 15 of Agenda 21, Conservation of Biological Diversity. At its third session, the Commission on Sustainable Development urged States to sign, ratify, accede to and implement the Convention on Biological Diversity. At the time of the third meeting of the Conference of the Parties, 161 States and one regional economic integration organization had done so, making this Convention the principal instrument for advancing global cooperation and practical action in its field.

7. The first meeting of the Conference of the Parties, held in Nassau, the Bahamas, in December 1994, set in place the mechanisms provided for by the Convention. The second meeting, held in Jakarta, Indonesia, in November 1995, adopted substantive decisions aimed at facilitating the implementation of the Convention.

C. The relevance of the Convention to other chapters of Agenda 21

8. Significant work has already been undertaken or initiated under the Convention in relation to a number of key areas. For example:

(a) National planning processes

9. The Convention requires Parties, in accordance with their particular conditions and capabilities, to develop national strategies, plans and programmes for the conservation and sustainable use of biological diversity. The second meeting of the Conference of the Parties decided that the first national reports of the Parties, due at its fourth meeting, will focus on measures taken for the implementation of Article 6 of the Convention (General measures for conservation and sustainable use).

(b) Marine and coastal biological diversity

10. The second meeting of the Conference of the Parties adopted decision II/10 on marine and coastal biological diversity, the Jakarta Mandate. This decision proposes a framework for global action. The salient features of the mandate are:

(i) support for and cooperation with other international efforts;

(ii) development of a programme of work for the Convention process, on the basis of five thematic areas, namely: integrated marine and coastal area management; marine and coastal protected areas; sustainable use of coastal and marine living resources; mariculture; and alien species; and

(iii) the establishment of a roster of experts on the basis of country input, which will draw upon expertise from scientific, technical, technological, social, management, economic, policy, legal and indigenous and traditional knowledge.

11. The first meeting of experts drawn from the roster is to be held in Jakarta early in 1997. The Conference of the Parties also forwarded its

decision on marine and coastal biological diversity to the fourth session of the Commission on Sustainable Development in 1996. Integral to the implementation of the Jakarta Mandate will be cooperation with other relevant institutions, processes and international agreements.

(c) Terrestrial biological diversity

12. The second meeting of the Conference of the Parties submitted a statement to the Intergovernmental Panel on Forests, and the Conference of the Parties has considered further inputs. The Conference of the Parties has also begun to consider further work in the area of terrestrial biological diversity, including in relation to drylands and to the biological diversity of mountain regions. At its third meeting, major consideration was given to agricultural biological diversity.

(d) Environmentally sound management of biotechnology

13. Chapter 16 of Agenda 21 addresses the environmentally sound management of biotechnology. The second meeting of the Conference of the Parties established an Open-ended Ad Hoc Working Group on Biosafety to develop, in the field of the safe transfer, handling and use of living modified organisms, a protocol on biosafety, specifically focusing on transboundary movement, of any living modified organism resulting from modern biotechnology that may have adverse effects on the conservation and sustainable use of biological diversity, setting out for consideration, in particular, appropriate procedure for advance informed agreement. The Working Group held its first meeting in July 1996 and reported to the third meeting of the Conference of the Parties. The Working Group aims to complete its work by 1998.

(e) Technical and scientific cooperation, and capacity-building

14. A number of articles of the Convention address the issues of technical and scientific cooperation and capacity-building, in which the clearing-house mechanism will play a significant role. The second meeting of the Conference of the Parties reaffirmed the importance of the clearing-house mechanism, accessible to all countries, to support implementation of the Convention at the national level. The Conference of the Parties noted that enhanced cooperation with other information systems and activities would contribute to the development of the clearing-house mechanism. A pilot phase of the clearing-house mechanism was established.

(f) Financial resources

15. The Convention recognizes the need for new and additional financial resources to enable developing country Parties to meet their commitments under the Convention and to benefit from its provisions. The Conference of the Parties has encouraged exploration of availability of additional financial resources, and ways in which the activities of funding institutions might be more supportive of the objectives of the Convention. In this regard, the Conference of the Parties encourages bilateral and multilateral funding agencies to incorporate more fully biological diversity considerations into their activities.

(g) Financial mechanism

16. The Convention foresees that there shall be a mechanism for the provision of financial resources to developing country Parties for the purposes of the Convention. The Conference of the Parties decided at its second meeting that the restructured Global Environment Facility should continue to serve on an interim basis as the institutional structure to operate the financial mechanism under the Convention. It also decided to undertake the first review of the effectiveness of the financial mechanism at its fourth meeting and to undertake a review every three years thereafter.

17. The Conference of the Parties specifically requested the Global Environment Facility as the interim institutional structure to implement the relevant provisions of the following decisions: II/3 and III/4 on the clearing-house mechanism; II/7 and III/9 on consideration of Articles 6 and 8 of the Convention; II/8 on preliminary consideration of components of biological diversity particularly under threat and action which could be taken under the Convention; II/17 on the form and intervals of national reports by Parties; III/10 on identification, monitoring and assessment; III/11 on conservation and sustainable use of agricultural biological diversity; III/14 on implementation of Article 8 (j); III/15 on access to genetic resources; III/18 on incentive measures; and III/20 on issues related to biosafety. The additional guidance to the financial mechanism given by the Conference of the Parties at its third meeting is contained in consolidated form in decision III/5.

(h) Major groups

18. The major groups, identified in Section 3 of Agenda 21, participate in the processes of the Convention, allowing them an opportunity to engage with Governments over the implementation of the commitments made under the Convention. In particular, certain provisions of the Convention specifically address the interests of indigenous people and their communities, as well as of other local communities.

D. Recent developments

19. The Conference of the Parties also draws to the attention of the special session of the General Assembly the report of its third meeting, held in Buenos Aires, Argentina (document UNEP/CBD/COP/3/38). The third meeting considered, inter alia:

(a) The financial mechanism and financial resources for the effective implementation of the Convention;

(b) Implementation of Articles 6 and 8 of the Convention;

(c) The conservation and sustainable use of agricultural biological diversity;

(d) Terrestrial biological diversity;

(e) The implementation of Article 8 (j);

(f) Access to genetic resources;

(g) Technology transfer;

(h) The impacts of intellectual property rights on the conservation and sustainable use of biological diversity;

(i) Incentive measures; and

(j) Cooperation with other conventions, institutions and processes.

E. Future work under the Convention

20. The Conference of the Parties draws to the attention of the special session the further work envisaged under the Convention's medium-term programme of work, including such areas as:

(a) Consideration of inland water ecosystems;

(b) Linkages between in situ and ex situ conservation;

(c) Public awareness and education;

(d) Impact assessment and minimizing adverse impacts;

(e) Matters related to benefit sharing;

(f) Technical and scientific cooperation;

(g) Conservation and sustainable use of agricultural biological diversity;

(h) Forest biological diversity;

(i) Implementation of Article 8 (j); and

(j) Indicators and methodologies for assessments.

21. At its fourth meeting, the Conference of the Parties will undertake a longer-term review of the work programme of the Convention and the operation of the Conference of the Parties and subsidiary organs, in the light of progress and experience to date.

F. Cooperation with other conventions, institutions and processes

22. The Conference of the Parties affirms the importance it attaches to cooperation and coordination between the Convention on Biological Diversity and other conventions, institutions and processes of relevance. A number of measures have already been taken to enhance such cooperation, including the agreement of memoranda of cooperation between the Convention Secretariat and the secretariats of certain other biological diversity-related conventions. The Conference of the Parties emphasizes its commitment to continue to explore effective mechanisms to cooperate with other conventions, institutions and processes of relevance, and in particular the Commission on

Sustainable Development, to avoid duplication and promote efficient use of resources in implementing its objectives and objectives contained in Agenda 21 in an expeditious manner.

G. Future challenges

23. In spite of the progress made to date in implementing the objectives of the Convention, Parties remain aware that biological diversity is being destroyed by human activities at unprecedented rates. The Conference of the Parties notes that a significant amount of work remains to be undertaken, in collaboration with relevant conventions, institutions and processes, in order fully to implement the Convention. It therefore calls upon the special session to recognize the urgency of this work and to support it.

24. In particular, the Conference of the Parties recognizes that attention needs to be paid, inter alia, to:

(a) The further raising of public awareness and the understanding of the importance of biological diversity through educational programmes and information;

(b) The rapid development and implementation of national strategies, plans or programmes for the conservation and sustainable use of biological diversity;

(c) The consideration of appropriate arrangements for access to genetic resources, and for the fair and equitable sharing of benefits arising out of the utilization of such resources;

(d) The development of effective means to respect, preserve and maintain the knowledge, innovations and practices of indigenous and local communities and the equitable sharing of the benefits arising out of the utilization thereof;

(e) The transfer of and access to technologies relevant to the Convention; and

(f) The provision of new and additional financial resources for the implementation of the Convention.

III/20. Issues related to biosafety

The Conference of the Parties,

Recalling decision II/5 adopted at its second meeting,

Having considered the report and recommendations of the first meeting of the Open-ended Ad Hoc Working Group on Biosafety, which met in Aarhus, Denmark, from 22 to 26 July 1996,

Recalling paragraph 10 of the terms of reference for the Open-ended Ad Hoc Working Group, contained in the annex to decision II/5, which states that the process of developing a protocol shall be conducted as a matter of urgency and that the Open-ended Ad Hoc Working Group shall endeavour to

complete its work in 1998,

Welcoming the adoption of the UNEP International Technical Guidelines for Safety in Biotechnology at the Global Consultation of Government-designated Experts, held in Cairo, Egypt, from 11 to 14 December 1995,

Affirming its support for a two-track approach through which the promotion of the application of the UNEP International Technical Guidelines for Safety in Biotechnology can contribute to the development and implementation of a protocol on biosafety, without prejudicing the development and conclusion of such a protocol,

1. Decides:

(a) That each of the five groups of States referred to in section 1, paragraph 1, of General Assembly resolution 2997 (XXVII), of 15 December 1972, shall send to the Secretariat nominations for two representatives to the Bureau as soon as possible, and in any event before the commencement of the second meeting of the Open-ended Ad Hoc Working Group established by the second meeting of the Conference of the Parties in decision II/5;

(b) That the Bureau shall remain in office, under the chairmanship of Mr. Veit Koester, (Denmark), until the fourth meeting of the Conference of the Parties;

(c) That two meetings of the Open-ended Ad Hoc Working Group will be held in 1997, and that a sufficient number of meetings will be held in 1998 to allow the Working Group to complete its work in 1998;

2. Endorses recommendation II/5 of the Subsidiary Body on Scientific, Technical and Technological Advice and, in particular:

(a) The realization of activities to promote the application of the UNEP International Technical Guidelines for Safety in Biotechnology, in accordance with paragraph 2 of recommendation II/5;

(b) The importance of funding for capacity-building in biosafety;

(c) The request to the interim institutional structure operating the financial mechanism to provide financial resources to developing country Parties for capacity-building in biosafety, in accordance with paragraph 3 of recommendation II/5, as set out in paragraph 2 (a) of decision III/5.

III/21. Relationship of the Convention with the Commission on Sustainable Development and biodiversity-related conventions, other international agreements, institutions and processes of relevance

The Conference of the Parties,

Recalling decisions II/13 and II/14 adopted at its second meeting,

Reaffirming the need to make mutually supportive activities under the Convention on Biological Diversity and activities under other conventions, processes and institutions relevant to the achievement of the objectives of

the Convention, while avoiding unnecessary duplication of activities and costs on the part of Parties and of the organs of the Convention,

Welcoming the progress made to date in the development of cooperative arrangements with relevant conventions, institutions and processes, as described in document UNEP/CBD/COP/3/29,

1. Expresses its appreciation to those conventions and institutions which have provided documentation and information to assist the deliberations of the Conference of the Parties at its third meeting;

2. Endorses the memoranda of cooperation entered into by the Executive Secretary with the secretariats of the Convention on Wetlands of International Importance, especially as Waterfowl Habitat, the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the Convention on the Conservation of Migratory Species of Wild Animals, and encourages the development of further such arrangements with relevant international biological diversity-related bodies, including regional conventions;

3. Requests the Executive Secretary to continue to coordinate with the secretariats of relevant biological diversity-related conventions, institutions, and processes, with a view to: facilitating the exchange of information and experience; exploring the possibility of recommending procedures for harmonizing, to the extent desirable and practicable, the reporting requirements of Parties under those instruments and conventions; exploring the possibility of coordinating their respective programmes of work; and consulting on how such conventions and other international legal instruments can contribute to the implementation of the provisions of the Convention on Biological Diversity;

4. Also requests the Executive Secretary to develop closer relationships with, in particular, the United Nations Framework Convention on Climate Change and the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa, with a view to making implementation activities and institutional arrangements mutually supportive;

5. Encourages the further development of cooperative arrangements at the scientific and technical level with appropriate biological diversity-related conventions and institutions, such as the Scientific Council of the Convention on Conservation of Migratory Species and the Scientific and Technical Review Panel of the Convention on Wetlands of International Importance, through the Subsidiary Body on Scientific, Technical and Technological Advice;

6. Takes note of document UNEP/CBD/COP/3/35 and the comments made by participants at its third meeting, and invites the Executive Secretary to continue to investigate, in collaboration with relevant global and regional conventions, institutions and processes, modalities for cooperation, and to report back to the Conference of the Parties at its fourth meeting in the light of the longer-term review of work;

7. Decides:

(a) In relation to cooperation with the Convention on Wetlands of International Importance:

(i) to note the Strategic Plan for 1997-2002 adopted by the Conference of Contracting Parties to the Convention on Wetlands of International Importance, in March 1996, which includes actions aimed at creating synergy between that Convention and the Convention on Biological Diversity;

(ii) to invite the Convention on Wetlands of International Importance to cooperate as a lead partner in the implementation of activities under the Convention related to wetlands, and, in particular, requests the Executive Secretary to seek inputs from the Convention on Wetlands of International Importance, in the preparation of documentation concerning the status and trends of inland water ecosystems for the consideration of the Conference of the Parties at its fourth meeting;

(b) In relation to cooperation with the Convention on the Conservation of Migratory Species, to request the Executive Secretary, in consultation with the Secretariat of that Convention, to evaluate how the implementation of that Convention can complement the implementation of the Convention on Biological Diversity through its transboundary coordinated and concerted action on a regional, continental and global scale;

8. Urges the Parties to ensure that the conservation and sustainable use of wetlands, and of migratory species and their habitats, are fully incorporated into national strategies, plan and programmes to preserve biological diversity;

9. Invites the governing bodies of biological diversity-related conventions to consider the possible contributions of those conventions to the implementation of the objectives of the Convention on Biological Diversity, and to share experience with the Conference of the Parties on, inter alia, successful management and conservation practices;

10. Calls on the national focal points of the Convention on Biological Diversity, and the competent authorities of the Convention on Wetlands of International Importance, the Convention on the Conservation of Migratory Species and the Convention on International Trade in Endangered Species of Wild Fauna and Flora to cooperate on the implementation of these conventions at the national level to avoid duplication of effort;

11. Urges the United Nations Environment Programme to undertake early implementation of decision II/14 of the Conference of the Parties;

12. Invites contracting parties to relevant biological diversity-related conventions to explore opportunities for accessing funding through the Global Environment Facility for relevant projects, including projects involving a number of countries, which fulfil the eligibility criteria and guidance provided by the Conference of the Parties to the Convention on Biological Diversity to the Global Environment Facility.

III/22. Medium-term programme of work for 1996-1997

The Conference of the Parties,

Recalling decision II/18 of the Conference of the Parties in which the Conference of the Parties adopted its medium-term work programme for the biennium 1996-1997,

Recalling also that decision II/18 provides for the review of the medium-term programme of work for the biennium 1996-1997, particularly the review of the operations of the Conference of the Parties and its subsidiary organs as well as the overall review and consideration of a long-term programme of work,

1. Recognizes that it may be necessary for the Executive Secretary, with the guidance of the Bureau of the Conference of the Parties, to adjust further the servicing of the programme of work in the light of the resources available to the Secretariat;

2. Invites Parties, participants and other relevant institutions to submit by 31 March 1997 their views to the Executive Secretary on:

(a) The operations of the Conference of the Parties;

(b) The overall review of the medium-term programme of work for 1995-1997;

(c) A longer-term programme of work;

3. Requests the Executive Secretary to submit a synthesis of these views to the Conference of the Parties for consideration at its fourth meeting;

4. Welcomes offers to contribute to efforts to facilitate the review process;

5. Takes note of the provisional agenda for the fourth meeting of the Conference of the Parties, contained in Annex I of document UNEP/CBD/COP/3/31;

6. Takes note of the draft provisional agenda of the third meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, contained in recommendation II/12 of the second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, in document UNEP/CBD/COP/3/3;

7. Requests the bureau of the Subsidiary Body on Scientific, Technical and Technological Advice to focus the agenda of the third meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, in line with the comments given at the third meeting of the Conference of the Parties on the work of the Subsidiary Body on Scientific, Technical and Technological Advice, and to submit it to the Parties sufficiently in advance of the third meeting of the Subsidiary Body on Scientific, Technical and Technological Advice.

Appendix 4/

MEDIUM-TERM PROGRAMME OF WORK OF THE CONFERENCE OF THE PARTIES 1996-1997

1. The medium-term programme of work will be constructed on the basis of standing and rolling issues.

2. Standing items will include, inter alia:

2.1 Matters relating to the financial mechanism, including a report from the interim institutional structure entrusted with its operation;

2.2 Report from the Secretariat on the administration of the Convention and budget for the Secretariat;

2.3 Report from, instructions to and consideration of recommendations from the Subsidiary Body on Scientific, Technical and Technological Advice;

2.4 Reports by Parties on the implementation of the Convention;

2.5 Report on the assessment and review of the operation of the clearing-house mechanism;

2.6 Relationship of the Convention on Biological Diversity with the Commission on Sustainable Development and biodiversity-related conventions, other international agreements, institutions and processes of relevance.

3. The other issues and derived activities necessary to implement the Convention should be dealt with on a year-by-year agenda, on the understanding that these relevant rotating issues will be developed and continually dealt with in accordance with the decisions of the Conference of the Parties by the Subsidiary Body on Scientific, Technical and Technological Advice and any eventual working groups appointed by the Conference of the Parties. The year-by-year agenda has to be flexible.

4. Treatment of the items on the programme of work should also reflect the importance of capacity-building as one of the elements of successful Convention implementation. The programme of work should always reflect a balance among the Convention's objectives, as set forth in Article 1.

5. In 1996, the third meeting of the Conference of the Parties may continue to consider pending issues of the 1995 programme of work.

6. The third meeting of the Conference of the Parties may consider, inter alia, the following items in 1996:

6.1 General measures for conservation and sustainable use:

4/ As contained in the annex to decision II/18 (UNEP/CBD/COP/2/19).

6.1.1 Implementation of Articles 6 and 8.

6.2 Identification, monitoring and assessment:

6.2.1 To consider options for implementing Article 7;

6.2.2 Appraisal of the SBSTTA review of assessment of biological diversity for the implementation of Article 25 (2) (a) and advice on methodologies for future assessments.

6.3 Conservation and sustainable use of agricultural biological diversity:

6.3.1 To consider agricultural biological diversity within the context of the Convention's three objectives and its provisions;

6.3.2 To consider a report on progress under the FAO Global System for the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture.

6.4 Consideration of the future programme of work for terrestrial biological diversity in the light of the outcome of deliberations of the third session of the Commission on Sustainable Development in 1995.

6.5 Knowledge, innovations and practices of indigenous and local communities:

6.5.1 Implementation of Article 8 (j).

6.6 Access to genetic resources:

6.6.1 To consider the compilation of views of Parties on possible options for developing national legislative, administrative or policy measures, as appropriate, to implement Article 15.

6.7 Issues related to technology:

6.7.1 To consider ways to promote and facilitate access to and transfer and development of technology, as envisaged by Articles 16 and 18 of the Convention.

6.8 Incentive measures:

6.8.1 To consider the compilation of information and experiences shared on the implementation of Article 11.

6.9 Special session of the General Assembly to review implementation of Agenda 21:

6.9.1 To provide a report from the perspective of the Convention's three objectives.

6.10 Issues related to biosafety:

6.10.1 To consider the first report of the ad hoc working group on biosafety.

7. In 1997, the fourth meeting of the Conference of the Parties may consider, inter alia, the following items:

7.1 Review of the medium-term programme of work (1995-1997):

7.1.1 To review the operations of the Conference of the Parties and subsidiary organs;

7.1.2 To undertake an overall review and consider a longer-term programme of work.

7.2 Models and mechanisms for linkages between in situ and ex situ conservation:

7.2.1 To generate options of models and linkage.

7.3 Measures for implementing the Convention:

7.3.1 To provide information and share experiences on the implementation of Article 13;

7.3.2 To provide information and share experiences on the implementation of Article 14;

7.3.3 Consideration of biodiversity under threat.

7.4 Consideration of matters related to benefit-sharing:

7.4.1 To consider measures to promote and advance the distribution of benefits from biotechnology in accordance with Article 19;

7.4.2 To be considered in the light of the outcome of item 6.7.1 above.

7.5 Technical and scientific cooperation.

7.6 Terrestrial biological diversity:

7.6.1 To assess the status and trends of the biodiversity of inland water ecosystems and identify options for conservation and sustainable use.

III/23. Administrative matters

The Conference of the Parties,

Recalling decision I/4 of the first meeting of the Conference of the Parties,

Reiterating its gratitude to the Government of Canada for the generous offer to host the Permanent Secretariat of the Convention on Biological Diversity,

Welcoming the speed with which the relocation of the Permanent

Secretariat from Geneva to Montreal took place,

Expressing appreciation to the Executive Director of the United Nations Environment Programme for finalizing negotiations for the headquarters agreement between the Permanent Secretariat of the Convention and the Government of Canada,

Noting with concern the difficulties encountered by the Permanent Secretariat in making the transition, in particular the difficulties associated with the establishment of efficient and timely services and with recruitment of staff,

Taking note with appreciation of the efforts of the Executive Secretary to continue the functions of the Permanent Secretariat in these circumstances and urging him to continue his efforts to meet the needs of the Convention,

1. Invites the Executive Director of the United Nations Environment Programme and the Executive Secretary of the Convention on Biological Diversity to develop procedures, making an effort to conclude by 27 January 1997, with respect to the functioning of the Permanent Secretariat of the Convention on Biological Diversity, to clarify and make more effective their respective roles and responsibilities;

2. Stresses that these procedures must provide for the managerial autonomy and efficiency of the Permanent Secretariat and its responsiveness to the needs of the Convention, and must ensure the administrative accountability of the Executive Secretary to the Conference of the Parties;

3. Stresses also that the procedures must be in accordance with the United Nations financial and staff rules and regulations and with decision I/4 of the Conference of the Parties and should as far as possible, and where appropriate, follow the Personnel, Financial and Common Services arrangements agreed to between the United Nations and the Framework Convention on Climate Change;

4. Requests the Executive Secretary to make available to the Parties copies of the agreed procedures on a timely basis and to report to the Conference of the Parties through its Bureau at its fourth meeting on the implementation of these arrangements.

III/24. Budget of the Trust Fund for the Convention on Biological Diversity

The Conference of the Parties

1. Approves the Convention budget for the biennium 1997-1998 as set forth in the annex to the present decision;

2. Decides that the Trust Fund shall be extended for a period of two years, beginning 1 January 1998 and ending 31 December 1999;

3. Urges all the Parties to pay promptly their contributions to the Trust Fund, based on the indicative scale set forth in the appendix to the budget (annex, part A) and in accordance with the terms of paragraph 10 of

its decision II/20;

4. Requests the Parties and States not Parties to the Convention, as well as governmental, intergovernmental and non-governmental organizations and other sources, to contribute to the Trust Fund;

5. Decides:

(a) That two special trust funds shall be established: (i) a special voluntary trust fund for additional voluntary contributions to the core budget for approved activities under the Convention on Biological Diversity (annex, part B), and (ii) a special voluntary trust fund for facilitating participation of Parties in the Convention process (annex, part C) 5/;

(b) That the Executive Director of the United Nations Environment Programme should be requested to establish the special trust funds referred to in paragraph 5 (a) above, for which the Financial Rules for the Administration of the Trust Fund for the Convention on Biological Diversity and other arrangements for that Fund shall apply mutatis mutandis, with the exception of the modification in sub-paragraph 5 (f) below;

(c) That all the Parties and States not Parties to the Convention, as well as governmental, intergovernmental and non-governmental organizations and other sources should be invited to contribute to the special trust funds;

(d) That the Trustee shall promptly advise the Executive Secretary of the receipt of all the contributions and acknowledge receipt of such contributions;

(e) That on a monthly basis the Trustee shall provide the Executive Secretary with information on the status of allotments, expenditures, trial balances and unliquidated obligations;

(f) That the Executive Secretary may make transfers from one budget line to another in accordance with the Financial Rules and Regulations of the United Nations;

6. Requests the Executive Secretary to explore in conjunction with the Executive Secretaries of the United Nations Framework Convention on Climate Change and the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa, the availability, cost and funding of suitable liaison arrangements in Geneva and/or New York and to report thereon to the Conference of the Parties at its next meeting;

7. Urges all those making financial contributions to a trust fund of the Convention to provide details promptly to the Executive Secretary regarding the amounts, date of payment, conditions and any other relevant information;

5/ Developing country Parties, in particular the least developed among them, and small island developing States.

8. Requests the Executive Secretary to ensure that duplicates of all the information on financial matters and the relevant documents are kept in custody at the seat of the Permanent Secretariat according to the Financial Rules and Regulations of the United Nations;

9. Directs the Executive Secretary to consider carefully all offers of support from other organizations and to cooperate with them with a view to making the most effective use of the available competencies, resources and services and to enter into such administrative and contractual arrangements as may be necessary for the effective discharge of the functions of the Permanent Secretariat;

10. Requests the Executive Secretary to prepare and submit to Parties a quarterly report on the administration of the Convention including such matters as staff lists, status of contributions, progress on the implementation of the medium-term work programme and financial expenditures;

11. Requests the Executive Secretary to include in the documents circulated for consideration at future meetings of the Conference of the Parties estimates of the likely costs of the recommendations contained therein, where such recommendations would have significant implications for the budget of the Convention.

Annex

A. Budget of the Trust Fund for the Convention on Biological Diversity for the biennium 1997-1998

(United States dollars)

		1997	1998
I.	**EXECUTIVE DIRECTION AND MANAGEMENT**		
	Executive Direction		
	Executive Secretary (D-2)	95,432	100,203
	Principal Officer (D-1)	91,948	96,546
	Programme Officer, Legal Affairs (P-4/L-4)	78,943	82,891
	Special Assistant to the Executive Secretary (P-3/L-3)	68,124	71,531
	Research Assistant (G-7)	25,453	26,726
	Senior Secretary (G-7)	25,453	26,726
	Fund Management and Administration		
	Fund Management/Administration Officer (P-4) (UNEP)	0	0
	Finance and Administration Officer (Quebec) b/	0	0
	Associate Administrative Officer (P-2/L-2)	54,296	57,011
	Associate Administrative Officer - Correspondence (P-2/L-2)	54,296	57,011
	Financial Assistant (G-7)	25,453	26,726
	Administrative Assistant (G-6)	23,302	24,467
	Travel Clerk (G-6)	23,302	24,467
	Receptionist (G-4)	19,535	20,512
	Messenger (G-4)	19,535	20,512
	Subtotal	**605,072**	**635,327**
	Servicing the Conference of the Parties		
	Review of *modus operandi* of the Convention	60,000	0
	Servicing the Conference of the Parties a/, c/	0	1,000,000
	Subtotal 1	**665,072**	**1,635,327**

a/ Additional costs for all meetings under the conventions held outside the seat of the Secretariat shall be borne by the host.

b/ Positions to be filled by secondees should be filled by 1 January 1997 on terms and conditions agreed to by the Executive Secretary. Parties should be informed in a timely manner if this deadline is not met and the reasons why.

c/ See item 14.

		1997	1998
2.	**SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL MATTERS**		
	Office of the Principal Officer		
	Principal Officer (D-1)	91,948	96,546
	Secretary (G-5)	21,340	22,407
	Scientific, Technical and Technological Analysis		
	Programme Officer, Conservation Ecology (P-4/L-4)	78,943	82,891
	Programme Officer, Economics (P-4/L-4)	78,943	82,891
	Programme Officer, Genetic Resources/Agrobiodiversity (FAO) (P-4) b/	0	0
	Programme Officer, Indigenous Knowledge (P-4/L-4) b/, c/	0	82,890
	Research Assistant, Indigenous Knowledge (G-7) b/, c/	0	26,726
	Research Assistant (G-7)	25,453	26,726
	Research Assistant (G-7)	25,453	26,726
	SBSTTA Activities		
	Preparation of Global Biodiversity Outlook	80,000	250,000
	Servicing of SBSTTA activities	120,000	120,000
	Servicing of workshop on article 8 (j) d/	350,000	0
	Servicing of SBSTTA meetings	500,000	0
	Subtotal 2	**1,372,081**	**817,801**
3.	**BIOSAFETY PROTOCOL**		
	Senior Programme Officer (P-5)	85,000	93,500
	Associate Programme Officer (P-2/L-2)	54,296	57,011
	Research Assistant (G-7)	25,453	26,726
	Secretary (G-5)	21,340	22,407
	Biosafety Protocol Meetings		
	Servicing meetings of Open-ended Ad Hoc Working Group on Biosafety	700,000	700,000
	Subtotal 3	**886,089**	**899,643**

b/ Positions to be filled by secondees should be filled by 1 January 1997 on terms and conditions agreed to by the Executive Secretary. Parties should be informed in a timely manner if this deadline is not met and the reasons why.

c/ See Part B: Special Trust Fund for additional voluntary contributions to the core budget for approved activities.

d/ Servicing of the workshop in six languages.

		1997	1998
4.	**IMPLEMENTATION AND COMMUNICATION**		
	Office of the Principal Officer		
	Principal Officer (D-1)	91,948	96,546
	Junior Programme Officer (Finland) (L-2)	0	0
	Secretary (G-5)	21,340	22,407
	Clearing House Mechanism		
	Programme Officer-Clearing House Mechanism (P-4)	78,943	82,891
	Librarian/documentalist (P-3/L-3)	68,124	71,531
	Programme Officer-Information (P-3)	68,124	71,531
	Programme Officer-Communications (UNEP) (P-2)	0	0
	Associate Programme Officer-Database Management (P-2/L-2)	54,296	57,011
	Associate Programme Officer - Documentation Control (P-2/L-2)	54,296	57,011
	Database Clerk (G-5)	21,340	22,407
	Clerk-Publications (G-4)	19,535	20,512
	Servicing of workshops on Clearing House Mechanism c/	150,000	0
	Library development and acquisitions	80,000	80,000
	Promotion, awareness-raising and publications	150,000	150,000
	Jakarta Mandate on Marine and Coastal Biological Diversity		
	Programme Officer, Marine Ecology (UNESCO) (P-4) b/	0	0
	Programme Officer (P-3/L-3)	68,124	71,531
	Junior Programme Officer (Italy) (L-2) b/, c/	0	0
	Meeting of Marine and Coastal Experts	80,000	0
	Financial Resources and Instruments		
	Programme Officer-Financial Resources and Instruments (P-4)	78,943	82,891
	Programme Officer-Financial Mechanism (P-3/L-3)	68,124	71,531
	Research Assistant (G-7)	25,453	26,726
	Review of the effectiveness of the Financial Mechanism c/	150,000	0
	National Reports and Reviews		
	Programme Officer (P-4/L-4)	78,943	82,891
	Programme Officer (P-3/L-3) (Quebec) b/	0	0
	Research Assistant (G-7)	25,453	26,726
	Subtotal 4	**1,432,989**	**1,094,138**

b/ Positions to be filled by secondees should be filled by 1 January 1997 on terms and conditions agreed to by the Executive Secretary. Parties should be informed in a timely manner if this deadline is not met and the reasons why.

c/ See Part B: Special Trust Fund for additional voluntary contributions to the core budget for approved activities See item 14.

		1997	1998
5	**CONSULTANCIES**	**300,000**	**400,000**
6	**TRAVEL OF STAFF**		
	Travel on official missions	400,000	400,000
	Travel to service meetings	70,000	70,000
	Subtotal 6	**470,000**	**470,000**
7	**EQUIPMENT**		
	Expendable equipment (supplies and material)	70,000	70,000
	Non-expendable equipment (furniture, computers, photocopiers, etc)	50,000	50,000
	Subtotal 7	**120,000**	**120,000**
8	**PREMISES**		
	Rent	0	0
	Utilities (gas, electricity, cleaning, etc.)	60,000	60,000
	Insurance	20,000	20,000
	Subtotal 8	**80,000**	**80,000**
9	**MISCELLANEOUS**		
	Temporary assistance and overtime	100,000	100,000
	Communications (telephone, fax, mail, e-mail, etc.)	300,000	300,000
	Recruitment costs/costs on interviews	30,000	20,000
	Hospitality	50,000	50,000
	Subtotal 9	**480,000**	**470,000**
	Subtotal 1 to 9	**5,806,231**	**5,986,910**
10	**ADMINISTRATIVE SUPPORT CHARGE (13%)**	**754,810**	**778,298**
	Subtotal 1 to 10	**6,561,041**	**6,765,208**
11	**CONTINGENCIES (0% - subtotal 1 to 9)**	**0**	**0**
12	**TOTAL**	**6,561,041**	**6,765,208**
13	**LESS - CONTRIBUTIONS FROM HOST COUNTRY**	**1,000,000**	**1,000,000**
14	**LESS ITEMS FUNDED FROM SAVINGS FROM PREVIOUS YEARS**		
	(a) Servicing of workshops on Clearing-House Mechanism	150,000	
	(b) Review of the effectiveness of the Financial Mechanism	150,000	
	(c) Servicing of the fourth meeting of the Conference of the Parties		1,000,000
15	**BUDGET TO BE SHARED BY PARTIES**	**5,261,041**	**4,765,208**

Appendix to part A

ASSESSMENTS

		United Nations scale of assessments 1997* (per cent)	Scale for the Trust Fund with 25% ceiling and no least developed country Party paying more than 0.01% (per cent)	Contributions as per 1 January 1997	Contributions as per 1 January 1998
	PARTIES				
1	Albania	0,01	0,01	705	638
2	Algeria	0,16	0,21	11,274	10,211
3	Antigua & Barbuda	0,01	0,01	705	638
4	Argentina	0,48	0,64	33,822	30,634
5	Armenia	0,05	0,07	3,523	3,191
6	Australia	1,48	1,98	104,283	94,455
7	Austria	0,87	1,17	61,302	55,524
8	Bahamas	0,02	0,03	1,409	1,276
9	Bangladesh	0,01	0,01	526	477
10	Barbados	0,01	0,01	705	638
11	Belarus	0,28	0,38	19,729	17,870
12	Belize	0,01	0,01	705	638
13	Benin	0,01	0,01	526	477
14	Bhutan	0,01	0,01	526	477
15	Bolivia	0,01	0,01	705	638
16	Botswana	0,01	0,01	705	638
17	Brazil	1,62	2,17	114,148	103,390
18	Bulgaria	0,08	0,11	5,637	5,106
19	Burkina Faso	0,01	0,01	526	477
20	Cambodia	0,01	0,01	526	477
21	Cameroon	0,01	0,01	705	638
22	Canada	3,11	4,17	219,136	198,483
23	Cape Verde	0,01	0,01	526	477
24	Central African Republic	0,01	0,01	526	477
25	Chad	0,01	0,01	526	477
26	Chile	0,08	0,11	5,637	5,106
27	China	0,74	0,99	52,142	47,227
28	Colombia	0,10	0,13	7,046	6,382
29	Comoros	0,01	0,01	526	477
30	Congo	0,01	0,01	705	638
31	Cook Islands	0,01	0,01	705	638
32	Costa Rica	0,01	0,01	705	638
33	Cote d'Ivoire	0,01	0,01	705	638
34	Croatia	0,09	0,12	6,342	5,744

		United Nations scale of assessments 1997* (per cent)	Scale for the Trust Fund with 25% ceiling and no least developed country Party paying more than 0.01% (per cent)	Contributions as per 1 January 1997	Contributions as per 1 January 1998
	PARTIES				
35	Cuba	0,05	0,07	3,523	3,191
36	Cyprus	0,03	0,04	2,114	1,915
37	Czech Republic	0,25	0,33	17,615	15,955
38	DPR of Korea	0,05	0,07	3,523	3,191
39	Denmark	0,72	0,96	50,732	45,951
40	Djibouti	0,01	0,01	526	477
41	Dominica	0,01	0,01	705	638
42	Ecuador	0,02	0,03	1,409	1,276
43	Egypt	0,08	0,11	5,637	5,106
44	El Salvador	0,01	0,01	705	638
45	Equatorial Guinea	0,01	0,01	526	477
46	Eritrea	0,01	0,01	526	477
47	Estonia	0,04	0,05	2,818	2,553
48	Ethiopia	0,01	0,01	526	477
49	Fiji	0,01	0,01	705	638
50	Finland	0,62	0,83	43,686	39,569
51	France	6,42	8,60	452,364	409,730
52	Gambia	0,01	0,01	526	477
53	Georgia	0,11	0,15	7,751	7,020
54	Germany	9,06	12,13	638,383	578,218
55	Ghana	0,01	0,01	705	638
56	Greece	0,38	0,51	26,775	24,252
57	Grenada	0,01	0,01	705	638
58	Guatemala	0,02	0,03	1,409	1,276
59	Guinea	0,01	0,01	526	477
60	Guinea-Bissau	0,01	0,01	526	477
61	Guyana	0,01	0,01	705	638
62	Haiti	0,01	0,01	526	477
63	Honduras	0,01	0,01	705	638
64	Hungary	0,14	0,19	9,865	8,935
65	Iceland	0,03	0,04	2,114	1,915
66	India	0,31	0,42	21,843	19,784
67	Indonesia	0,14	0,19	9,865	8,935
68	Iran (Islamic Republic of)	0,45	0,60	31,708	28,719
69	Ireland	0,21	0,28	14,797	13,402
70	Israel	0,27	0,36	19,025	17,232
71	Italy	5,25	7,03	369,924	335,060

		United Nations scale of assessments 1997* (per cent)	Scale for the Trust Fund with 25% ceiling and no least developed country Party paying more than 0.01% (per cent)	Contributions as per 1 January 1997	Contributions as per 1 January 1998
	PARTIES				
72	Jamaica	0,01	0,01	705	638
73	Japan	15,65	20,96	1,102,725	998,797
74	Jordan	0,01	0,01	705	638
75	Kazakstan	0,19	0,25	13,388	12,126
76	Kenya	0,01	0,01	705	638
77	Kiribati	0,01	0,01	526	477
78	Kyrgyztan	0,03	0,04	2,114	1,915
79	Lao PDR	0,01	0,01	526	477
80	Latvia	0,08	0,11	5,637	5,106
81	Lebanon	0,01	0,01	705	638
82	Lesotho	0,01	0,01	526	477
83	Lithuania	0,08	0,11	5,637	5,106
84	Luxembourg	0,07	0,09	4,932	4,467
85	Madagascar	0,01	0,01	526	477
86	Malawi	0,01	0,01	526	477
87	Malaysia	0,14	0,19	9,865	8,935
88	Maldives	0,01	0,01	526	477
89	Mali	0,01	0,01	526	477
90	Marshall Islands	0,01	0,01	705	638
91	Mauritania	0,01	0,01	526	477
92	Mauritius	0,01	0,01	705	638
93	Mexico	0,79	1,06	55,665	50,419
94	Micronesia (Federated States of)	0,01	0,01	705	638
95	Monaco	0,01	0,01	705	638
96	Mongolia	0,01	0,01	705	638
97	Morocco	0,03	0,04	2,114	1,915
98	Mozambique	0,01	0,01	526	477
99	Myanmar	0,01	0,01	526	477
100	Nauru	0,01	0,01	705	638
101	Nepal	0,01	0,01	526	477
102	Netherlands	1,59	2,13	112,034	101,475
103	New Zealand	0,24	0,32	16,911	15,317
104	Nicaragua	0,01	0,01	705	638
105	Niger	0,01	0,01	526	477
106	Nigeria	0,11	0,15	7,751	7,020
107	Niue	0,01	0,01	705	638
108	Norway	0,56	0,75	39,459	35,740

		United Nations scale of assessments 1997* (per cent)	Scale for the Trust Fund with 25% ceiling and no least developed country Party paying more than 0.01% (per cent)	Contributions as per 1 January 1997	Contributions as per 1 January 1998
PARTIES					
109	Oman	0,04	0,05	2,818	2,553
110	Pakistan	0,06	0,08	4,228	3,829
111	Panama	0,01	0,01	705	638
112	Papua New Guinea	0,01	0,01	705	638
113	Paraguay	0,01	0,01	705	638
114	Peru	0,06	0,08	4,228	3,829
115	Philippines	0,06	0,08	4,228	3,829
116	Poland	0,33	0,44	23,252	21,061
117	Portugal	0,28	0,38	19,729	17,870
118	Qatar	0,04	0,05	2,818	2,553
119	Republic of Korea	0,82	1,10	57,779	52,333
120	Republic of Moldova	0,08	0,11	5,637	5,106
121	Romania	0,15	0,20	10,569	9,573
122	Russian Federation	4,27	5,72	300,871	272,515
123	Rwanda	0,01	0,01	526	477
124	Saint Kitts and Nevis	0,01	0,01	705	638
125	Saint Lucia	0,01	0,01	705	638
126	Saint Vincent and the Grenadines	0,01	0,01	705	638
127	Samoa	0,01	0,01	526	477
128	San Marino	0,01	0,01	705	638
129	Senegal	0,01	0,01	705	638
130	Seychelles	0,01	0,01	705	638
131	Sierra Leone	0,01	0,01	526	477
132	Singapore	0,14	0,19	9,865	8,935
133	Slovakia	0,08	0,11	5,637	5,106
134	Slovenia	0,07	0,09	4,932	4,467
135	Solomon Islands	0,01	0,01	526	477
136	South Africa	0,32	0,43	22,548	20,423
137	Spain	2,38	3,19	167,699	151,894
138	Sri Lanka	0,01	0,01	705	638
139	Sudan	0,01	0,01	526	477
140	Suriname	0,01	0,01	705	638
141	Swaziland	0,01	0,01	705	638
142	Sweden	1,23	1,65	86,668	78,500
143	Switzerland	1,21	1,62	85,259	77,223

		United Nations scale of assessments 1997* (per cent)	Scale for the Trust Fund with 25% ceiling and no least developed country Party paying more than 0.01% (per cent)	Contributions as per 1 January 1997	Contributions as per 1 January 1998
	PARTIES				
144	Syrian Arab Republic	0,05	0,07	3,523	3,191
145	Togo	0,01	0,01	526	477
146	Trinidad and Tobago	0,03	0,04	2,114	1,915
147	Tunisia	0,03	0,04	2,114	1,915
148	Turkmenistan	0,04	0,05	2,818	2,553
149	Uganda	0,01	0,01	526	477
150	Ukraine	1,09	1,46	76,803	69,565
151	United Kingdom	5,32	7,13	374,856	339,527
152	United Republic of Tanzania	0,01	0,01	526	477
153	Uruguay	0,04	0,05	2,818	2,553
154	Uzbekistan	0,13	0,17	9,160	8,297
155	Vanuatu	0,01	0,01	526	477
156	Venezuela	0,33	0,44	23,252	21,061
157	Viet Nam	0,01	0,01	705	638
158	Yemen	0,01	0,01	705	638
159	Zaire	0,01	0,01	526	477
160	Zambia	0,01	0,01	526	477
161	Zimbabwe	0,01	0,01	705	638
162	European Community	0,00	2,50	131,526	119,130
		72,9000	100,0	5,261,041	4,765,208

* General Assembly resolution 49/19. Scale of assessments for the apportionment of the expenses of the United Nations.

B. Special Trust Fund for additional voluntary contributions to the core budget for approved activities

(United States dollars)

		1997	1998
1.	**EXECUTIVE DIRECTION AND MANAGEMENT**		
	Conference of the Parties		
	Meetings of Bureau of the Conference of the Parties	75,000	50,000
	Liaison functions	150,000	200,000
	Subtotal 1	**225,000**	**250,000**
2.	**SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL MATTERS**		
	Scientific, Technical and Technological Analysis		
	Programme Officer, Indigenous Knowledge (P-4/L-4) a/, b/, c/	78,943	0
	Research Assistant, Indigenous Knowledge (G-7) a/, b/, c/	25,453	0
	Miscellaneous a/, c/	20,604	0
	SBSTTA meetings		
	Meetings of SBSTTA Bureau	75,000	50,000
	Subtotal 2	**200,000**	**50,000**
3.	**BIOSAFETY PROTOCOL**		
	Meetings of Biosafety Protocol Bureau	75,000	50,000
	Subtotal 3	**75,000**	**50,000**
4.	**IMPLEMENTATION AND COMMUNICATION**		
	Office of the Principal Officer		
	Junior Programme Officer (L-2) a/, b/	54,296	57,011
	Clearing House Mechanism		
	Clearing-House Mechanism Activities	50,000	50,000
	Servicing of workshops on Clearing-House Mechanism	0	158,000
	Jakarta Mandate on Marine and Coastal Biological Diversity		
	Junior Programme Officer (L-2) b/	54,296	57,011
	Subtotal 4	**158,592**	**322,022**
	Subtotal 1 to 4	**658,592**	**672,022**
5.	**ADMINISTRATIVE SUPPORT CHARGE (13%)**	**85,617**	**87,363**
6.	**TOTAL**	**744,209**	**759,384**

a/ Carried over from 1996.

b/ Positions to be filled by secondees by 1 January 1997 on terms and conditions agreed to by the Executive Secretary, Parties should be informed in a timely manner if this deadline is not met and the reasons why.

c/ Contribution of the Government of Australia.

C. Special voluntary trust fund for facilitating participation of Parties in the Convention process

(United States dollars)

		1997	1998
1.	**EXECUTIVE DIRECTION AND MANAGEMENT**		
	Conference of the Parties		
	Travel of participants to meeting of the Conference of the Parties a/	0	400,000
	Travel of participants to regional preparatory meetings of the Conference of the Parties a/	0	250,000
	Subtotal 1	**0**	**650,000**
2.	**SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL MATTERS**		
	SBSTTA meetings		
	Travel of participants to SBSTTA meeting a/	338,372	0
	Travel of participants to workshop on article 8 (j) a/	338,372	0
	Subtotal 2	**676,744**	**0**
3.	**BIOSAFETY PROTOCOL**		
	Biosafety Protocol meetings		
	Travel of participants to Ad Hoc Working Group on Biosafety a/	676,744	676,744
	Subtotal 3	**676,744**	**676,744**
4.	**IMPLEMENTATION AND COMMUNICATION**		
	Clearing-House Mechanism		
	Travel of participants to workshops on Clearing-House Mechanism a/	200,000	200,000
	Subtotal 4	**200,000**	**200,000**
	Subtotal 1 to 4	**1,553,488**	**1,526,744**
5.	**ADMINISTRATIVE SUPPORT CHARGE (13%)**	**201,953**	**198,477**
6.	**TOTAL**	**1,755,441**	**1,725,221**
a/	Participants from developing countries, in particular least developed countries and small-island developing States.		

III/25. Date and venue of the fourth meeting of the Conference of the Parties

The Conference of the Parties

1. Welcomes the kind offer of the Government of the Republic of Slovakia to host the fourth meeting of the Conference of the Parties;

2. Decides that the fourth meeting of the Conference of the Parties will take place in Bratislava, Slovakia, from 4 to 15 May 1998.

III/26. Convening of regional and subregional meetings for Parties to the Convention

The Conference of the Parties,

Recalling its decision II/22,

Having benefited from such meetings by adopting decisions on agenda items of the third meeting of the Conference of the Parties,

1. Requests the Executive Secretary to seek voluntary contributions to meet the administrative costs of the regional/subregional meetings;

2. Urges the Secretariat of the Convention to seek additional voluntary contributions for such meetings to facilitate the participation of developing country Parties, in particular the least developed countries and small island developing States.

III/27. Tribute to the Government and people of the Argentine Republic

The Conference of the Parties,

Having met in Buenos Aires, from 4 to 15 November 1996, at the gracious invitation of the Government of Argentina,

Deeply appreciative of the special courtesy and warm hospitality extended by the Government and people of Argentina, to the Ministers, members of delegations, observers and members of the Secretariat attending the meeting,

Expresses its sincere gratitude to the Government of the Argentine Republic and its people for the cordial welcome which they accorded to the Conference of the Parties and to those associated with its work and for their contribution to the success of the third meeting of the Conference of the Parties to the Convention on Biological Diversity.